

JOHN KERRY
MASSACHUSETTS

COMMITTEES
COMMERCE, SCIENCE,
AND TRANSPORTATION
FINANCE
FOREIGN RELATIONS
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

January 28, 2003

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue N.W. Room 6.4-A.....
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

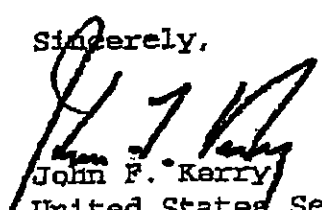
I am forwarding to you a copy of a letter from [REDACTED] concerning [REDACTED] licensure application. b(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in the attached correspondence.

Please convey a copy of your response to the issues raised in [REDACTED] letter to Meaghan F. Hohl of my Boston office. b(6)

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mh



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229

FEB 21 2003

The Honorable John Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of January 28, 2003, on behalf of your constituent, [REDACTED], Director of Continuing Education and Adjunct Programs, Boston School of the Museum of Fine Arts, Boston. In your correspondence, you asked that we respond to [REDACTED] request to obtain a license from the Office of Foreign Assets Control (OFAC) to conduct travel-related transactions in Cuba pursuant to the Cuban Assets Control Regulations at Title 31 Code of Federal Regulations 515. Please allow me to address this request. b(6)

Being the primary border agency, Customs enforces the Foreign Assets Control Regulations to ensure compliance on behalf of OFAC. However, the OFAC is the agency responsible for developing and administering the trade embargoes. The OFAC will issue a license on a case-by-case basis to a specific individual or company allowing an activity that would otherwise be prohibited by a trade embargo. I have, therefore, taken the liberty of forwarding a copy of your correspondence to Mr. David Mills, Chief, Licensing Branch, OFAC, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220. Mr. Mill's telephone number is (202) 622-2480.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

TRADITION

A handwritten signature in black ink, appearing to read "Nicole R. Nason".

SERVICE

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

HONOR

cc: Mr. David Mills, OFAC

Congress of the United States

Washington, DC 20515

January 23, 2003

Michael Garcia
Acting Commissioner
U.S. Immigration and Naturalization Service
Chester A. Arthur Building
425 Eye St., NW
Washington, DC 20001

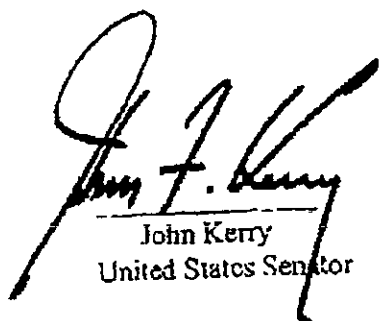
Dear Acting Commissioner Garcia:

During the past year, Massachusetts Port Authority (Massport) officials have repeatedly voiced their concern that under-staffed INS stations at Boston's Logan Airport have led to lengthy delays, sometimes as long as an hour or two, for passengers arriving from overseas. Passengers are often forced to stay aboard the aircraft while awaiting processing, which makes for an unpleasant experience and an inefficient processing system. As you can appreciate, waiting aboard an airplane for two hours after a 10 or 12 hour flight is a frustrating prospect, and does not help build confidence in our government's ability to process returning Americans and international visitors.

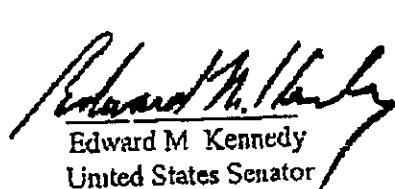
You may also be aware that Massport is currently building a new international terminal which will allow the airport to service more fliers and significantly expand its international arrivals and departures. Critical to the success of this new terminal will be the presence of additional INS staffers to process people coming into the country. In light of this, and in light of the current demand for staffing, we urge you to immediately deploy additional INS staffers to Logan Airport. Although we understand that the INS has a finite amount of resources to spread around the country, Logan Airport is one of the main arrival points for international flights coming into the United States, and, as such, the need for more INS staffers cannot be stressed enough.

We appreciate your prompt attention to this matter.

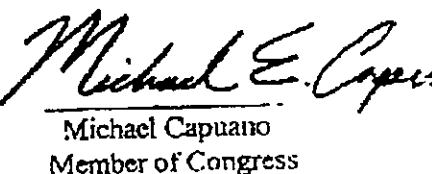
Sincerely,



John F. Kerry
United States Senator



Edward M. Kennedy
United States Senator



Michael E. Capuano
Member of Congress



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington D C 20229

June 3, 2003

The Honorable John Kerry
United States Senate
Washington, D C 20510

Dear Senator Kerry

Thank you for your letter of January 23, 2003, to Acting Assistant Secretary Michael Garcia of the Bureau of Immigration and Customs Enforcement (ICE). In your correspondence, which was forwarded to the Bureau of Customs and Border Protection (CBP) for response, you expressed concern regarding the amount of time that is required to process international flights arriving at Boston's Logan Airport. You also expressed concern regarding staffing levels at this location. We have recently completed our review of these issues. Please allow me to outline our findings.

As you may be aware, Logan Airport is currently undergoing major construction in an effort to modernize its facilities. The Massachusetts Port Authority (MassPort) is the lead organization for this project. MassPort works with all interested parties, including CBP and the airlines, in an effort to minimize any impact the project may have on operations.

At the present time, construction is taking place within the Federal Inspection Services (FIS) area of Logan Airport's Terminal E. Although every effort has been taken by MassPort, CBP, and the airlines to minimize its impact, the construction has temporarily reduced the maximum occupancy of the FIS area from 900 to 700 passengers. As a result, passengers may temporarily experience processing delays during peak arrival times until this phase of construction is complete.

Please be assured that any delays experienced by travelers arriving from international destinations are a direct result of the modernization project and not CBP staffing shortages. In fact, CBP has been steadily increasing the size of its workforce since September 2001. This has greatly enhanced our ability to protect our Nation's borders and to defend our homeland against future acts of terror.

TRADITION

SERVICE

HONOR

We have shared the concerns that you mentioned in your letter with MassPort officials. They have assured us that they are continuing to take every action necessary to eliminate or reduce delays caused by the ongoing construction.

I appreciate your interest in Customs and Border Protection. If we may offer further assistance, please contact me at (202) 927-1760.

Yours truly,

A handwritten signature in black ink, appearing to read "Richard F. Quinn", with a long horizontal flourish extending to the right.

Richard F. Quinn
Acting Assistant Commissioner
Office of Congressional Affairs

JOHN KERRY
MASSACHUSETTS

COMMITTEES:
COMMERCE, SCIENCE,
AND TRANSPORTATION
FINANCE
FOREIGN RELATIONS
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

January 21, 2003

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W. Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

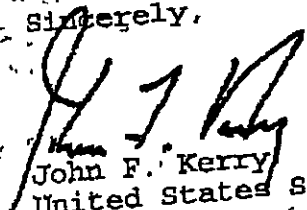
I am forwarding to you a copy of a letter from [REDACTED] concerning China customs. 6(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229

March 4, 2003

The Honorable John F. Kerry
United States Senator
One Bowdoin Squire
Boston, Massachusetts 02114

Dear Senator Kerry:

This letter is in further reply to your letter of January 21, 2003, on behalf of constituent, [REDACTED]. In your correspondence, you asked for assistance in resolving an issue related to [REDACTED] business concerns and the China Customs Service. We recently completed our inquiry of this matter. Please allow me to outline our findings for you.

[REDACTED] business concerns were related to the procurement, delivery and installation of two Microspectrophotometers from S.E.E. Scientific Instruments to two separate customers located at Beijing, China. The two scientific instruments arrived in China on January 9, 2003. The scientific instrument consigned to the Municipal Forensic Laboratory was cleared and released by China Customs on January 13, 2003.

The second scientific instrument consigned via Guangzhou, China, for the Beijing Supreme Court was not immediately cleared and released by Guangzhou, China Customs. This was due to issues related to the composition of some of the scientific instrument components, their modification, and their country of origin classification. Attempts to secure the clearance and release of the scientific instruments from Guangzhou, China Customs had been unsuccessful. The matter acquired a further sense of urgency in that the S.E.E. Applications scientist assigned to effect the installation of the instrument had a working class 30-day visa, which was on the verge of expiring.

TRADITION

SERVICE

HONOR

The Customs Attaché, Beijing addressed the matter to the Department of International Cooperation, China Customs, Deputy Director Ms. Dang Yingjie in furtherance of resolving the issue. A delay in resolving the matter was due to the observance of the Chinese New Year by Chinese Government officials from February 3-10, 2003. On February 12, 2003, the Customs Attaché, Beijing was advised by Beijing, China Customs that

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b(6)

the scientific instrument shipment had been cleared, released, delivered and installed at the Beijing Supreme Court. The Customs Attaché, Beijing contacted [REDACTED] and confirmed the aforementioned.

b(6)

During the course of this inquiry, U S. Customs Service personnel have been in communication with personnel from your staff and have kept them appraised of developments and the resolution of this matter.

We appreciate your interest in the Customs Service. If we may offer further assistance, please contact me at (202) 927-1760.

Yours truly,



Richard F. Quinn
Acting Assistant Commissioner
Office of Congressional Affairs

JOHN KERRY
MASSACHUSETTS

COMMITTEES
COMMERCE, SCIENCE
AND TRANSPORTATION
FINANCE
FOREIGN RELATIONS
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8409

December 20, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

I am forwarding to you a copy of a letter from [REDACTED] concerning an incident that took place involving the U.S. Customs Service on October 21, 2002. 6(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C. 20229

JAN 24 2003

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of December 20, 2002, on behalf of your constituent, [REDACTED]. In your correspondence, you asked that we address [REDACTED] concerns about [REDACTED] Customs processing on October 21, 2002, at the Nassau Preclearance Station. We have recently completed our review of this matter. Please allow me to address your constituent's concerns.

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16(6)

Speaking with travelers and examining merchandise entering or leaving the United States are some of the ways we look for illegal or prohibited items or potential suspect terrorists. Unless they are exempt by diplomatic status, all travelers entering the United States, including U.S. citizens, are required to participate in routine Customs processing. Customs relies on its officers to determine appropriate interview questions based on the progression of the examination. Customs does not have a comprehensive list of questions that may be asked since each situation may warrant different questions.

Customs may, unfortunately, inconvenience law-abiding citizens in order to detect those that are involved in illicit activities. We are especially aware of how stressful the inspection process may be to those selected for inspection. In such cases, we rely on the cooperation, patience, and understanding of the traveling public.

At preclearance stations, passengers encounter the Customs processing prior to boarding their flight. Occasionally, a passenger may miss their flight due to a Customs inspection. The passenger's cooperation enables us to conduct Customs inspections quickly and efficiently.

TRADITION

Allow me to suggest that if, for any reason in the future, [REDACTED] is dissatisfied with her Customs processing, [REDACTED] should ask to speak to a supervisor, or a Customs Passenger Service Representative (at major airports), on-site. A supervisor is always available to address the concerns of travelers.

SERVICE

6(6)

HONOR

I appreciate your interest in the Customs Service. If we may be of further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in black ink, appearing to read "Nicole R. Nason". The signature is fluid and cursive, with a prominent "N" and "R".

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

JOHN KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES:
COMMERCE, SCIENCE
AND TRANSPORTATION
FINANCE
FOREIGN RELATIONS
SMALL BUSINESS

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

December 10, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 5.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

I am forwarding to you a copy of a letter from [REDACTED] concerning problems that [REDACTED] has had with the U.S. Customs Service. 16(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229

DEC 27 2002

The Honorable John F Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of December 10, 2002, on behalf of your constituent, [REDACTED]. In your correspondence, you asked that we review [REDACTED] concerns regarding problems [REDACTED] has been experiencing during [REDACTED] Customs processing when returning to the United States from foreign travel, as well as [REDACTED] greater concern that [REDACTED] is allegedly being profiled based upon [REDACTED] ethnic background, country of birth and religion. Please allow me to report on the status of this matter.

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First, please be assured that it is not the intent of the U.S. Customs Service to subject travelers to unwarranted scrutiny. [REDACTED] is entitled to the utmost courtesy and professionalism that can be offered within the limits of our enforcement responsibilities. Regrettably, our efforts can occasionally cause inconvenience. This is especially true as a result of the tragedy of September 11, 2001. Second, please know that the U.S. Customs Service does not target or profile individuals on the basis of race, ethnicity, color, religion, or national origin, nor would such targeting or profiling ever be permitted or tolerated.

Our inquiry into the facts and circumstances surrounding [REDACTED] specific situation has determined that [REDACTED] was the subject of an Advanced Passenger Information System (APIS) lookout. This system provides U.S. Customs with passenger information on all arriving passengers prior to the actual arrival of the flight. The information provided by the airlines is mandatory pursuant to the Aviation and Transportation Safety Act (Public Law 107-71). Based on the information contained in the APIS, [REDACTED] was designated for a secondary examination.

TRADITION

We are pleased to report that after careful review of the Interagency Border Inspection System, which is housed on the Treasury Enforcement Communications System, we have taken appropriate action so that [REDACTED] will not receive further automatic special attention. [REDACTED] can now expect to receive only routine Customs processing in the future when arriving at U.S. ports of entry.

SERVICE

HONOR

However, we would like to mention a word of caution if [REDACTED] intends to travel frequently on an international basis. [REDACTED] repetitive entry and exit to and from the United States can increase the likelihood that [REDACTED] may be subjected to a higher degree of scrutiny than would normally be the case. This is due to a random selection process and should [REDACTED] be selected for an intensive examination, [REDACTED] should in no way be alarmed.

We regret any inconvenience or unpleasantness [REDACTED] may have experienced, and we hope that [REDACTED] future encounters with the U.S. Customs Service will be of a more pleasant nature.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

Gloria J. Bryant
for Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

November 18, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

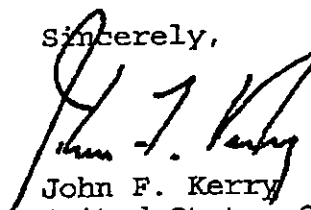
I am forwarding to you a copy of a letter from [REDACTED] of Peabody, Massachusetts concerning [REDACTED] interest in employment. 16(6)

It is the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter, keeping me informed of all developments, and sending copies of your findings and views to Roger Lau, in care of my office.

Thank you for your time, consideration and cooperation in this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/rwl



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229

DEC 27 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of November 18, 2002, on behalf of your constituent, [REDACTED]. In your correspondence, you asked that we review the status of [REDACTED] applications for a permanent, full-time position with the U.S. Customs Service. Please allow me to outline the situation for you.

Our records indicate that [REDACTED] applied for Customs Inspector positions under Vacancy Announcements CH124794 and CH154254. [REDACTED] was found qualified at the GS-5 level. [REDACTED] name has been added to our pool of eligible candidates to whom tentative offers of employment may be made as vacancies become available at their preferred geographic locations. If [REDACTED] has additional questions regarding the status of [REDACTED] application, [REDACTED] may contact Mr. Jerry Tavenner of our Human Resources Management staff at (202) 927-3703.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

Nicole R. Nason
for Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION

SERVICE

HONOR

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6(6)

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

November 18, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

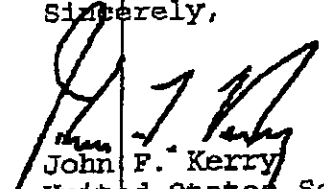
I am forwarding to you a copy of a letter from [REDACTED] concerning [REDACTED] seizure case # 2003-0417-0000 16(6)
16001.

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C. 20229

DEC 24 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of November 18, 2002, on behalf of your constituent, [REDACTED]. In your correspondence, you asked that we respond to [REDACTED] concerns regarding the seizure of currency from [REDACTED], by Customs on October 23, 2002, at the Logan International Airport in Boston, Massachusetts. We have recently completed our review of this matter. Please allow me to outline our findings.

Our review indicated [REDACTED] did not report \$25,550 that [REDACTED] had in [REDACTED] possession during an outbound currency examination. The currency was subsequently seized under the authority of Title 31, United States Code, Section 5317, for violation of Sections 5316 (failure to report) and 5332 (bulk cash smuggling) of the same title. The seizure was authorized because [REDACTED] failed to report to Customs that [REDACTED] was transporting currency in excess of \$10,000 out of the United States.

The Customs inspector at the airport informed [REDACTED] that there is no limit or restriction on the amount of money that may be brought into or taken out of the United States, nor is it illegal to do so. However, if [REDACTED] was transporting or caused to be transporting more than \$10,000 into or out of the country, [REDACTED] was required to file a report with Customs.

When asked to declare all monies [REDACTED] was transporting, including any monies that [REDACTED] was carrying on behalf of others, [REDACTED] declared \$10,200 and filed a Customs Form 4790 (Report of International Transportation of Currency or Monetary Instruments) for the same amount. Upon further inspection of [REDACTED] handbag by Customs, a total of \$25,550 was discovered. At the time of seizure, \$2,550 was returned to [REDACTED] for humanitarian reasons.

TRADITION

SERVICE

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On October 25, 2002, a petition requesting the return of the seized currency was received from [REDACTED]. Customs is reviewing this petition and is proceeding as expeditiously as possible to achieve a resolution in this matter. [REDACTED] has been advised of her rights and has elected administrative proceedings. However, [REDACTED] can decide at any time not to continue the administrative process and file a claim to cause a referral for judicial forfeiture.

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b(6)

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,



for Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

United States Senate
WASHINGTON, DC 20510-2102

November 5, 2002

The Honorable Robert C. Bonner
Commissioner
U.S. Customs Service
1300 Pennsylvania Ave., N.W.
Washington, DC 20229

Dear Commissioner Bonner:

I am writing to strongly urge you to carefully consider Candle Corporation of America's ("Candle Corp." or "CCA") position that it is an "eligible affected domestic producer" under the Continued Dumping and Subsidy Offset Act of 2000 (the "CDSOA")

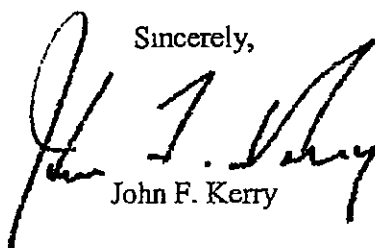
According to CCA, this year's distribution of antidumping duties under the CDSOA will have a tremendous impact on its ability to make goods in the United States and compete in the domestic market. That is why I hope that Customs will review its prior determination that Candle Corp. is not an eligible producer

Candle Corp., together with its sister divisions of Blyth, Inc., is the largest domestic manufacturer of candles and home fragrance products in the United States. It employs 515 employees in facilities in Plymouth and Hyannis and has more than 500 independent contractors in Massachusetts. It is dedicated to manufacturing here and has acquired or built a number of U.S. facilities since the mid-1980's.

Chinese dumping has significantly affected Candle Corp. Moreover, Candle Corp. believes that its exclusion from obtaining any of the collected duties is giving its competitors an unexpected windfall in duty disbursement and reducing Candle Corp.'s ability to reinvest in its facilities, technology, and workers.

Candle Corp. appears to be the type of domestic manufacturer intended by Congress to benefit from the passage of the CDSOA. I respectfully request that you give careful consideration to its analysis that it is an eligible producer

Sincerely,



John F. Kerry

email: john.kerry@kerry.senate.gov
www: http://www.senate.gov/~kerry/

PRINTED ON RECYCLED PAPER

0025329



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C. 20229

JAN - 9 2003

The Honorable John F. Kerry
United States Senate
Washington, D.C 20510

Dear Senator Kerry:

Thank you for your letter of November 5, 2002, on behalf of the Candle Corporation of America (CCA).

As you know, CCA filed a certification under the Continued Dumping and Subsidy Offset Act of 2000 (CDSOA), codified at 19 U.S.C. 1675c (2002), requesting an offset of dumping duties for Commerce case number A-570-504 for the Fiscal Year 2002 (FY 2002). A meeting was held on November 15, 2002, with CCA's counsel to discuss the merits of their claim.

After careful consideration, Customs has determined that CCA is not eligible to receive a CDSOA distribution for FY 2002. I have enclosed a copy of our letter to [REDACTED], counsel to CCA, addressing the reasons for our denial. **b(6)**

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in black ink, appearing to read "Nicole R. Nason".

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION

Enclosure

SERVICE

HONOR



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229

DEC - 4

[REDACTED]
Hale and Dorr, LLP
1455 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

6(6)

Dear [REDACTED]:

The U.S. Customs Service has completed its review of your certification filed on behalf of the Candle Corporation of America ("CCA"), and after careful consideration of the arguments discussed in the meeting held on November 15, 2002, we maintain our position that CCA is ineligible to receive the Continued Dumping and Subsidy Offset Act of 2000 ("CDSOA") distribution for the fiscal year of 2002 for the reasons stated below.

As explained in our letter of January 18, 2002, CCA does not qualify as an affected domestic producer under the CDSOA because it was not "a petitioner or interested party in support of the petition" as required by the statute. 19 USC 1675c(a)(1). The U.S. International Trade Commission (ITC) concluded that CCA does not meet this requirement. On August 27, 2001, the ITC denied CCA's request to be added to the ITC list because "...it is inappropriate to do so because the company did not indicate support of the petition in either of the questionnaires it submitted in the original petition." In light of the ITC's conclusion, Customs cannot accept CCA's certification as an affected domestic producer because the ITC found that CCA was not a petitioner or interested party in support of the petition in accordance with 19 USC 1675c(b)(1).

CCA filed a certification, requesting treatment as the successor company to both Colonial Candle of Cape Cod ("Colonial") and Lenox Candles ("Lenox"). Both Lenox and Colonial were included on the ITC list for Commerce case number A-570-504. The CDSOA does not address whether distributions may be made to successor companies. The only provision in the CDSOA which mentions successor companies disqualifies the predecessor companies from distributions if the successor company opposed the petition.¹ In the public comments received by Customs in response to its Notice of Proposed Rulemaking on the CDSOA, requests were made to allow successor companies to the companies on the ITC list to file claims for distributions. 66 Fed. Reg. 48,546, 48,547 (September 21, 2001). In response to those comments, Customs added a section in its final rules providing that successor companies may file certifications in order "to claim an offset as an affected domestic producer on behalf of the predecessor company." 19 CFR 159.61(b)(i) It is Customs position that

TRADITION

SERVICE

¹ "Companies, businesses, or persons that have ceased the production of the product covered by the order or finding or who have been acquired by a company or business that is related to a company that opposed the investigation shall not be an affected domestic producer." 19 U.S.C. 1675c(a)(1)

HONOR

any successor company may obtain the distribution of its predecessor companies who supported the petition, provided the successor company did not oppose the petition. This position limits Customs successor regulation. It balances the expressed remedial purpose of the statute (19 USC 1675c note) with the express language of the CDSOA disqualifying even a company acquired by a company related to a company that opposed an investigation. It is Customs position that the disqualifying provision clearly indicates that Congress intended to prevent a company who opposed a petition from obtaining benefits under the CDSOA by acquiring a company that supported the petition.

At the meeting on November 15, 2002, you raised the Supreme Court's ruling in Barnhart v. Sigmon Coal, Co., 534 U.S. 438, 451 (2002) which held that an agency may not impose liability upon a successor company when the applicable statute did not expressly provide for liability to attach to successor companies. If Customs were to find Barnhart controlling, neither CCA nor any other successor company could qualify under the CDSOA because the CDSOA does not expressly provide for distributions to be made to successor companies. If Barnhart is controlling, it would be questionable whether or not Customs "successor" regulation can survive. However, the statute under review in Barnhart was a liability statute which fixed liabilities for various entities. By contrast, the CDSOA does not impose liability; it is a remedial statute. Consequently, we do not find that the Barnhart decision is controlling. Customs maintains the view that Congress did not intend CDSOA distributions to be made to any company that opposed the investigation. Therefore, we conclude that your certification does not meet the requirements of the CDSOA.

Sincerely,



Michael T. Schmitz
Assistant Commissioner
Office of Regulations and Rulings

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

October 10, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

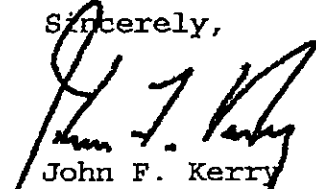
I am forwarding to you a copy of a letter from Mr. Edward DeSousa of Global Drawback, Inc. concerning their FOIA request.

It is the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter, keeping me informed of all developments, and sending copies of your findings and views to Roger Lau, in care of my office.

Thank you for your time, consideration and cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/rwl



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229

NOV 18 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of October 10, 2002, on behalf of your constituent, Mr. Edward X. DeSousa, President, Global Drawback, Inc. In your correspondence, you asked that we respond to Mr. DeSousa's concerns regarding his Freedom of Information Act (FOIA) request. We have recently completed our review of this matter. Please allow me to outline our findings.

Our records indicate that Customs received a FOIA request from Mr. DeSousa on October 9, 2002. This FOIA request was for a copy of an independent contractor's report that was mentioned in the Notice of Proposed Rulemaking related to the consolidation of Drawback Centers.

This request was forwarded to the Disclosures Branch of the Office of Rulings and Regulations for review. On October 17, 2002, the Disclosures Branch determined that a copy of the report could be released through the FOIA request; however, certain information is exempt from disclosure as set forth in the FOIA at 5 USC 552(b). This exempt information was redacted in a copy of the report that was sent to Mr. DeSousa on October 30, 2002. A copy of our letter to Mr. DeSousa, along with the redacted report, is enclosed for your information.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

TRADITION

A handwritten signature in dark ink, appearing to read "Nicole R. Nason".

SERVICE

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

HONOR

Enclosure



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C. 20229

OCT 30 2002

2003F0037

DIS-1FO:MSS:IET SLH

Mr. Edward X DeSousa
President
Global Drawback, Inc.
50 Main Street
North Reading, MA 01864

Dear Mr. DeSousa:

Trade Compliance and Facilitation is in receipt of your facsimile Freedom of Information Act (FOIA) request, dated October 9, 2002. This FOIA was a request for a copy of the independent contractor's report mentioned in the Notice of Proposed Rulemaking for the consolidation of drawback centers.

Enclosed is a copy of the requested report. However, certain information in this report is exempt from disclosure as set forth in the FOIA, 5 U.S.C. 552(b). The exempt information has been redacted from the enclosed copy. If you consider this response to constitute a denial of your request for disclosure, you may appeal within 35 days.

The appeal must be in writing, signed by you, and contain your name and address, date of your initial request, date of the letter denying your request, description of withheld records or information, and reason you believe why such records or information should be disclosed. Appeals should be sent to: U.S. Customs Service, Freedom of Information Act Appeal, 799 Ninth Street, N.W., U.S. Mint Annex Building, Washington, D.C. 20229

If you should need any additional information, please feel free to contact Ms. Sherri Hoffman at (202) 927-0542.

Sincerely,

A handwritten signature in cursive script, appearing to read "Elizabeth G. Durant".

Elizabeth G. Durant
Executive Director, Trade Compliance and Facilitation
Office of Field Operations

TRADITION

SERVICE

HONOR

Enclosures

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

October 10, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

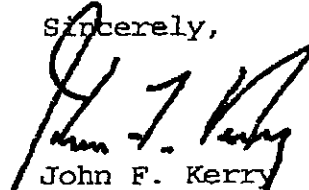
I am forwarding to you a copy of a letter from Massachusetts Senate President [REDACTED] concerning the proposed consolidation of the Boston region customs drawback center. 6(6)

It is the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter, keeping me informed of all developments, and sending copies of your findings and views to Roger Lau, in care of my office.

Thank you for your time, consideration and cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/rwl



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229

NOV 12 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of October 10, 2002, to which you enclosed a copy of a letter from [REDACTED], Massachusetts Senate President. Enclosed with [REDACTED] letter was a letter from Global Drawback, Inc., a Massachusetts-based company, in which concerns were expressed regarding the proposed closing of the Boston Customs drawback office. Closing of the office was published in a notice of proposed rulemaking in the Federal Register on Wednesday, August 21, 2002 (67 FR 54137).

ALL
6(6)

All comments received in response to the notice of proposed rulemaking will be considered before Customs makes a final decision on the matter. After review of the comments, a final document will be drafted for Customs and Treasury approval prior to publication in the Federal Register. We appreciate your forwarding [REDACTED] views, and you can be assured that we will consider [REDACTED] views before a final decision is made.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in black ink, appearing to read "Nicole R. Nason".

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION

SERVICE

HONOR

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES
COMMERCE SCIENCE
AND TRANSPORTATION
FINANCE
FOREIGN RELATIONS
SMALL BUSINESS

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

September 6, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

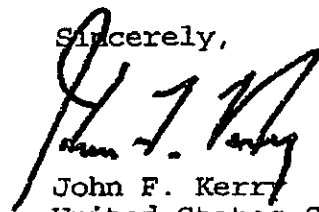
I am forwarding to you a copy of a letter from [REDACTED] of Westwood, Massachusetts concerning the consolidation of the U.S. Customs Drawback Centers. 6(6)

It is the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter, keeping me informed of all developments, and sending copies of your findings and views to Roger Lau, in care of my office.

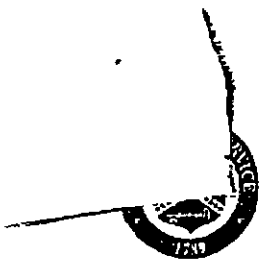
Thank you for your time, consideration and cooperation in this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/rwl



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C. 20229

NOV - 8 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of September 6, 2002, on behalf of your constituent, [REDACTED]. [REDACTED] expressed concerns about the proposed closing of the Boston Customs drawback office. Closing of the office was in a notice of proposed rulemaking published in the Federal Register on Wednesday, August 21, 2002 (67 FR 54137).

AR
6(6)

All comments received in response to the notice of proposed rulemaking will be considered before Customs makes a final decision on the matter. After review of the comments, a final document will be drafted for Customs and Treasury approval prior to publication in the Federal Register. We appreciate your forwarding to us [REDACTED] views, and you can be assured that we will consider [REDACTED] views before a final decision is made.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION

SERVICE

HONOR

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

September 6, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

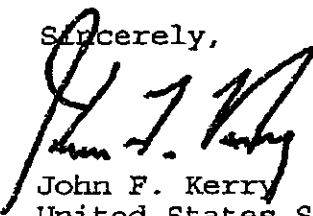
I am forwarding to you a copy of a letter from [REDACTED] of North Reading, Massachusetts concerning the consolidation of drawback offices. 6(6)

It is the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter, keeping me informed of all developments, and sending copies of your findings and views to Roger Lau, in care of my office.

Thank you for your time, consideration and cooperation in this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/rwl

0624546



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229

NOV - 8 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of September 6, 2002, on behalf of your constituent, [REDACTED]. [REDACTED] expressed concerns about the proposed closing of the Boston Customs drawback office. Closing of the office was in a notice of proposed rulemaking published in the **Federal Register** on Wednesday, August 21, 2002 (67 FR 54137).

ACR
6(6)

All comments received in response to the notice of proposed rulemaking will be considered before Customs makes a final decision on the matter. After review of the comments, a final document will be drafted for Customs and Treasury approval prior to publication in the **Federal Register**. We appreciate your forwarding to us [REDACTED] views, and you can be assured that we will consider [REDACTED] views before a final decision is made.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in dark ink, appearing to read "Nicole R. Nason".
Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION
SERVICE

HONOR

JOHN KERRY
MASSACHUSETTS

COMMITTEES:
BANKING, HOUSING AND
URBAN AFFAIRS
COMMERCE, SCIENCE,
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

July 16, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

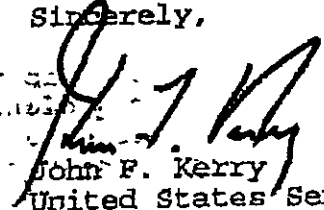
I am forwarding to you a copy of a letter from [REDACTED] concerning an artificial nose technology that [REDACTED] has developed. [REDACTED] would like a contact to see if your office is interested in sponsoring the development of this technology. 16(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston Office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229

AUG 12 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of July 16, 2002, sent on behalf of your constituent, [REDACTED] of Tufts University. In your correspondence, you requested that the U.S. Customs Service evaluate the artificial nose technology developed by [REDACTED].

Evaluating this type of technology is the responsibility of the Applied Technology Division within the Office of Information and Technology. That office has contacted [REDACTED] and is in the process of making arrangements to meet with [REDACTED] and a member of [REDACTED] staff.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in cursive script, appearing to read "Nicole R. Nason".

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION

SERVICE

HONOR

ALL
6(6)

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES
BANKING HOUSING AND
URBAN AFFAIRS
COMMERCE, SCIENCE
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

July 9, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

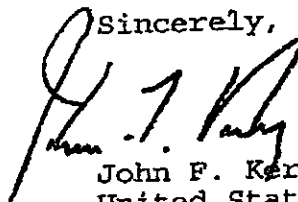
I am forwarding to you a copy of a letter from [REDACTED] concerning his interest with the US Customs Service. b(6)

It is the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter, keeping me informed of all developments, and sending copies of your findings and views to Daniel Gross, in care of my office.

Thank you for your time, consideration and cooperation in this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/DJG



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D C. 20229

AUG 8 2002

The Honorable John F. Kerry
United States Senate
Washington, D C. 20510

Dear Senator Kerry

Thank you for your letter of July 9, 2002, on behalf of your constituent, [REDACTED]. In your correspondence, you asked that we address [REDACTED] interest in obtaining a position with the U.S. Customs Service. Please allow me to outline the situation for you

AG
6(6)

A review of our records indicates that we have received three applications from [REDACTED] for the position of GS-9 Intelligence Research Specialist. Although [REDACTED] met the minimum qualifications for these positions, [REDACTED] was not included in the lists of best qualified candidates who were referred to the selecting official for consideration

[REDACTED] also qualified for two Investigative Assistant positions in Baltimore, Maryland, and Philadelphia, Pennsylvania, and was recently referred on lists of best qualified candidates to the selecting official for consideration for both locations. We will notify [REDACTED] when final selections have been made.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in black ink, appearing to read "Nicole R. Nason".

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION

SERVICE

HONOR

JOHN KERRY
MASSACHUSETTS

COMMITTEES:
COMMERCE, SCIENCE,
AND TRANSPORTATION
FINANCE
FOREIGN RELATIONS
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

June 4, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W. Room 614-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

I am forwarding to you a copy of a letter from [REDACTED] concerning EdgeScape and Enterprises Suite.

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,

John F. Kerry
United States Senator

JFK/mss

Mail: John_Kerry@kerry.senate.gov
www.kerry.senate.gov

PRINTED ON RECYCLED PAPER

66



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229

DEC 10 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry.

Thank you for your letter of June 4, 2002, on behalf of your constituent, [REDACTED]. Please accept our apology for the delay in our response. In your correspondence, you asked that we address EdgeScape and EnterpriseSuite, which [REDACTED] has introduced as Akamai's solutions for intelligence agencies seeking to enhance internal communication and collaboration.

The Customs Service has in place the software, hardware, and services necessary to support our mission critical applications. However, we encourage [REDACTED] to monitor the Federal Register which is used by Federal agencies to announce intended procurement opportunities.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in cursive script, appearing to read "Nicole R. Nason".

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION

SERVICE

HONOR

ALL
6(6)

JOHN KERRY
MASSACHUSETTS

COMMITTEES:
COMMERCE, SCIENCE,
AND TRANSPORTATION
FINANCE
FOREIGN RELATIONS
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

May 22, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

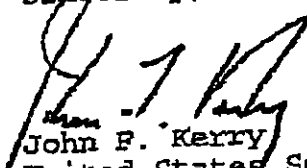
I am forwarding to you a copy of a letter from [REDACTED] concerning eNose.

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229

May 22, 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of May 22, 2002, on behalf of your constituent, [REDACTED] of ION Signature Technology, Inc. In your correspondence you requested that the U.S. Customs Service evaluate and review the eNose product produced by [REDACTED] company.

AD
6(6)

Evaluating this type of technology is the responsibility of the Applied Technology Division within the Office of Information and Technology. That office has contacted [REDACTED] and is in the process of making arrangements to meet with representatives of ION Signature Technology, Inc.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in dark ink, appearing to read "Nicole R. Nason".

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION

SERVICE

HONOR

JOHN KERRY
MASSACHUSETTS

COMMITTEES:
COMMERCE, SCIENCE,
AND TRANSPORTATION
FINANCE
FOREIGN RELATIONS
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

May 22, 2002

Ms. Nicole R. Nason
Assistant Commissioner For Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 644A
Washington, D.C. 20229

Dear Assistant Commissioner Nason:

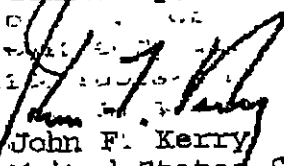
I am forwarding to you a copy of a letter from [REDACTED] concerning goods purchased in Cuba seized by the U.S. Customs Service. Please note that [REDACTED] faces a May 24 deadline according to a May 13 letter, which is the second of many enclosures that I am also sending you. 6(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mas



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of May 22, 2002, on behalf of your constituents, [REDACTED] and [REDACTED]. In your correspondence, you asked that we review your constituents' concerns regarding property belonging to them that was seized by Customs on March 29, 2002, at the Port of Highgate Springs, Vermont, and which they believed would be destroyed on May 24, 2002. We have recently completed our review of this matter. Please allow me to outline our findings.

ALL
6(6)

Our review determined that when [REDACTED] and [REDACTED] entered the United States at Highgate Springs they informed the primary officer that they were returning from a week in Canada. When they were specifically asked if they had traveled to Cuba, they said that they had not. During further questioning, however, they admitted that they had traveled to Cuba.

[REDACTED] and [REDACTED] claimed that they were unsure of the travel restrictions to Cuba. However, upon searching their luggage, the Customs inspectors found Department of the Treasury and Office of Foreign Assets Control (OFAC) information sheets regarding travel to Cuba. The inspectors subsequently seized numerous items of Cuban origin under Title 19, United States Code 1595a(c) for attempting to introduce merchandise into the United States contrary to law, and in violation of the Trading With the Enemy Act (31 CFR, Part 500 and Title 50, United States Code, Appendix 5).

TRADITION

SERVICE

HONOR

In [REDACTED] petition, [REDACTED] stated that [REDACTED] and [REDACTED] were traveling under a "general license" to Cuba, where they conducted "professional research." [REDACTED] description of their activities while in Cuba, however, does not fit the description of "professional research" as defined in 31 CFR 515.564. If [REDACTED] and [REDACTED] were traveling for educational purposes, they would need a "specific" license from OFAC. They did not present a specific license at the time of seizure; and, as of this date, they have not submitted one.

Subsequently, [REDACTED] has filed a supplemental petition; and as we informed your office, the merchandise was not destroyed. In accordance with Customs regulations, the supplemental petition was forwarded to the National Seizures and Penalties Officer (NSPO) for an independent review and decision. The disposition of [REDACTED] and [REDACTED] property will be held in abeyance until the NSPO has made his/her decision. The NSPO has 90 days from the date of receipt of the supplemental petition to render a decision. Customs will notify [REDACTED] in writing once a decision is made on [REDACTED] supplemental petition.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,



Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

ADP
6(6)

United States Senate

WASHINGTON, DC 20510-2102

April 16, 2002

Mr. William Lawrence
Director, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1301 Constitution Avenue, N.W., Room 2210
Washington, D.C. 20229

Dear Mr. Lawrence:

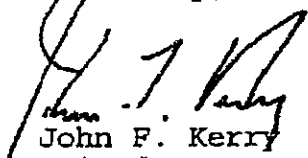
I am forwarding to you a copy of a letter from [REDACTED] concerning [REDACTED] employment issue. 16(6)

It is the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter, keeping me informed of all developments, and sending copies of your findings and views to Daniel Gross, in care of my office.

Thank you for your time, consideration and cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/DJG



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229

May 17, 2002

The Honorable John F. Kerry
United States Senate
Washington, D.C. 20510

Dear Senator Kerry:

Thank you for your letter of April 16, 2002, on behalf of your constituent, [REDACTED]. In your letter, you asked that we address [REDACTED] concerns regarding the status of [REDACTED] application for a position with the U.S. Customs Service. (b)(6)

My staff is continuing to look into this matter, and I will be back in touch with you as soon as possible. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in cursive script, appearing to read "Nicole R. Nason".

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION

SERVICE

HONOR



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229

June 10, 2002

The Honorable John F. Kerry
United States Senate
Washington, D.C. 20510

Dear Senator Kerry:

Thank you for your letter of April 16, 2002, on behalf of your constituent, [REDACTED]. In your correspondence, you asked that we address [REDACTED] concerns regarding the status of [REDACTED] application for a position with the U.S. Customs Service. Please allow me to outline the situation for you.

Our nationwide Quality Recruitment effort is conducted with assistance from the Office of Personnel Management (OPM). The OPM receives the applications and administers the required tests for Customs. They have advised us that [REDACTED] applied for a GS-5/7 Customs Inspector position under Vacancy Announcement CH131060. Provided [REDACTED] has taken the required examination, the OPM will contact [REDACTED] with [REDACTED] test results, along with an update on the status of [REDACTED] application.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in cursive script, appearing to read "Nicole R. Nason".

Nicole R. Nason
Assistant Commissioner
Office of Congressional Affairs

TRADITION

SERVICE

HONOR

United States Senate

WASHINGTON, DC 20510-2102

April 9, 2002

Dear Friend:

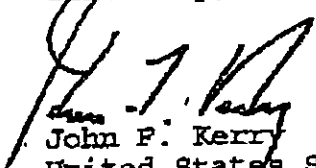
I am forwarding to you a copy of a letter from [REDACTED] concerning his employment issue. b(6)

It is the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter, keeping me informed of all developments, and sending copies of your findings and views to Daniel Gross, in care of my office.

Thank you for your time, consideration and cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/DJG



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C. 20229
202-927-2001 Fax 202-927-1380

Commissioner of Customs

May 2, 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of April 9, 2002, on behalf of your constituent, [REDACTED]. In your correspondence, you asked for a review of the events surrounding [REDACTED] being transferred within the U.S. Customs Service from El Paso, Texas, to Boston, Massachusetts. We recently completed our investigation. Please allow me to outline the situation for you.

AD
6(6)

In 1998, the Customs Service implemented a minimum tour of duty policy. All Office of Investigations Special Agents are now required to complete a minimum of 3 years at their initial post of duty, prior to being eligible for reassignment to another duty location. [REDACTED] was appointed as an agent on April 17, 2000, and was assigned to El Paso, Texas. The Special Agent in Charge (SAIC), El Paso, Texas, is aware of [REDACTED] desire to be reassigned to the Boston area. Unfortunately, we must adhere to our policy, and this information has been relayed to [REDACTED] by the SAIC.

In recognition of the hardships associated with working at the border and hard to fill locations, the Customs Service implemented the Fiscal Year 2000 Agent Rotation Program. Agents assigned to covered locations; i.e., the Southwest Border, Puerto Rico, the Virgin Islands, and Guam are eligible for rotation once they complete a minimum 3-year tour of duty at their original duty location. As opportunities arise, rotations are announced, and eligible agents may apply for geographical locations of their choice. Selections, many of which include paid moves, are made based on seniority and where anticipated or actual vacancies exist. [REDACTED] will be eligible for this program upon completion of the mandatory tour of duty.

At this time, we cannot approve a reassignment for [REDACTED]. To allow one employee an opportunity to reassign, prior to completing the mandatory 3-year assignment, would invalidate our existing policies and procedures.

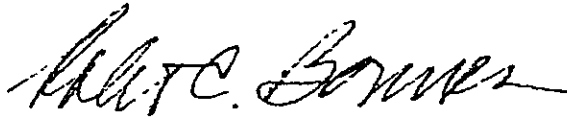
TRADITION

SERVICE

HONOR

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in cursive script, appearing to read "R. C. Bonner".

Robert C. Bonner
Commissioner

United States Senate

WASHINGTON, DC 20510-2102

February 22, 2002

Commissioner Robert C. Bonner
United States Customs Headquarters
1300 Pennsylvania Ave, NW
Room # 4 4A
Washington, DC 20229

Dear Commissioner Bonner:

I am writing on behalf of the Massachusetts Port Authority (Massport) and its pilot programs designed to evaluate innovative technologies that have security applications. Massport has begun to deploy new, state-of-the-art security enhancements at Logan International Airport in Boston, and its efforts include testing biometrics and document authentication related technologies to determine their applicability and usefulness. In this regard, Massport has chosen to develop a pilot program to test BorderGuard technology, designed by Imaging Automation, a New Hampshire company.

BorderGuard technology automatically and rapidly scans, analyzes, authenticates and processes all types of travel and identity documents. Massport envisions a test that deploys BorderGuard technology to authenticate passports presented for departure at the international security checkpoint and one airline.

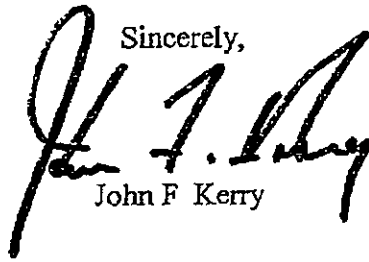
Additionally, Massport would like to include the Customs Service in its pilot program as there are obvious potential applications for the Customs Service as well as INS for incoming passengers. I have written Commissioner Ziglar of the INS requesting that agency's full participation in the Massport pilot and Immigration and Nationalization Service has expressed interest in doing so. I respectfully ask for your leadership in joining this most important exercise at Logan.

As you know, none of the technology that can and will be deployed at our borders will work as intended without interagency cooperation. Given the large number of international flights, the highly-visible Customs presence at Logan, and the Customs Service's long record of interaction with other law enforcement agencies, especially INS, I would urge the U.S. Customs Service to participate in these technology trials. In this way, the security technology needs of the Customs Service, INS, Logan Airport and the airlines can be measured concurrently, shortening the time for the potential deployment of these promising technologies as well fostering the kind of interagency cooperation necessary to address the critical changes needed in our nation's security systems.

2/22/02

Thank you very much for your consideration of this important initiative

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Kerry". The signature is stylized with a large initial "J" and a long, sweeping underline.

John F Kerry



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229
202-927-2001 Fax 202-927-1380

Commissioner of Customs

April 12, 2002

The Honorable John F. Kerry
United States Senate
Washington, D.C. 20510

Dear Senator Kerry:

Thank you for your letter of February 22, 2002. In your correspondence, you requested, on behalf of the Massachusetts Port Authority (Massport), that Customs cooperate in an interagency pilot program to test BorderGuard technology which is designed by the Imaging Automation company. Please allow me to address your request.

Massport's commitment to law enforcement innovation is highly commendable. National security can be enhanced by this type of effort. Customs believes that pilot testing of this type of technology is needed.

Customs is interested in Massport's offer and we would like to review their detailed proposal. Please ask them to send this proposal to Mr. Robert Jacksta, Executive Director, Passenger Programs, at 1300 Pennsylvania Avenue, N.W., Room 5.4D, Washington, D.C. 20229.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in cursive script, reading "Robert C. Bonner".

Robert C. Bonner
Commissioner

TRADITION

SERVICE

HONOR

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

February 21, 2002

Mr. Richard F. Quinn
Acting Assistant Commissioner, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Mr. Quinn:

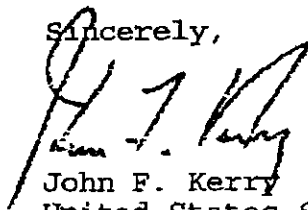
I am forwarding to you a copy of a letter from [REDACTED] 16(6)
[REDACTED] of Andover, Massachusetts concerning [REDACTED] request for
assistance.

It is the desire of this office to be responsive to all
inquiries and communications, your consideration of the attached
is requested.

I would appreciate your looking into this matter, keeping me
informed of all developments, and sending copies of your findings
and views to Roger Lau, in care of my office.

Thank you for your time, consideration and cooperation in
this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/rwl



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C. 20229
202-927-2001 Fax 202-927-1380

Commissioner of Customs

April 19, 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of February 21, 2002, on behalf of your constituent, [REDACTED], of Andover, Massachusetts. In your correspondence, you requested that we investigate [REDACTED] claim that U.S. Customs removed \$400 from a FedEx envelope that [REDACTED] sent to [REDACTED] mother in Aleppo, Syria. We have recently completed our investigation of this matter. Please allow me to outline our findings.

Although the FedEx tracking number confirms the routing and delivery of [REDACTED] envelope, we were not able to determine the contents of the envelope. Although [REDACTED] stated that there was a Customs sticker on the envelope, there is no record of the envelope ever being examined by U.S. Customs.

The U.S. Customs Service takes allegations of employee misconduct very seriously and has implemented several program reforms to promote fairness and consistency in handling such matters. Accordingly, the information provided in [REDACTED] correspondence has been assigned to a specially trained group of investigative analysts for their review. Upon the completion of a thorough review, the group will determine the best course for addressing this matter.

I appreciate your interest in the Customs Service. If we may offer any further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

Robert C. Bonner
Commissioner

TRADITION

SERVICE

HONOR

ALL
6(6)

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

February 4, 2002

Mr. Richard F. Quinn
Acting Assistant Commissioner, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Mr. Quinn:

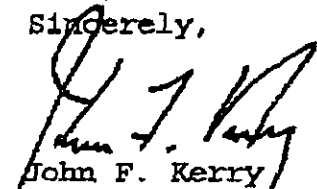
I am forwarding to you a copy of a letter from [REDACTED] concerning Maptech. b(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229
202-927-2001 Fax 202-927-1380

March 14, 2002

Commissioner of Customs

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of February 4, 2002, sent on behalf of your constituent, [REDACTED] of Maptech, Inc. In your correspondence you requested that the U.S. Customs Service evaluate and review the digital maps and charts produced by [REDACTED] company.

Evaluating this type of technology is the responsibility of the Applied Technology Division within the Office of Information and Technology. That office has contacted [REDACTED] and is in the process of making arrangements to meet with representatives of Maptech, Inc.

I appreciate your interest in the U.S. Customs Service. If I can be of further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

A handwritten signature in cursive script, reading "Robert C. Bonner".

Robert C. Bonner
Commissioner

TRADITION

SERVICE

HONOR

APR 6(6)

JOHN KERRY
MASSACHUSETTS

COMMITTEES
BANKING, HOUSING, AND
URBAN AFFAIRS
COMMERCE, SCIENCE,
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

December 13, 2001

Mr. Richard F. Quinn
Acting Assistant Commissioner, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Mr. Quinn:

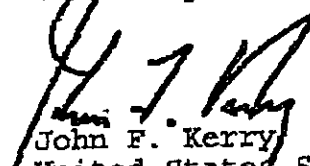
I am forwarding to you a copy of a letter from [REDACTED] concerning [REDACTED] unpleasant experience with an official from the U.S. Customs Service. 16(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229
202-927-2001 Fax 202-927-1380

Commissioner of Customs

January 22, 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry

Thank you for your letter of December 13, 2001, on behalf of your constituent, [REDACTED]. In your correspondence, you asked that we review [REDACTED] concerns regarding [REDACTED] Customs processing at John F. Kennedy International Airport, New York, on November 20, 2001. We have recently completed our review of this matter. Please allow me to outline our findings.

*ALL
6(6)*

First, permit me to apologize for any rude or unprofessional behavior that [REDACTED] experienced during [REDACTED] processing. Speaking with travelers and examining merchandise entering or leaving the United States are some of the ways we look for illegal or prohibited items. Unless exempt by diplomatic status, all travelers entering the United States, including U.S. citizens, are requested to participate in routine Customs processing. However, with this authority, Customs expects all of its officers to conduct their duties in a professional manner and to treat each traveler respectfully.

[REDACTED] stated in [REDACTED] letter that [REDACTED] purchased a carpet for \$3,500 in Egypt and was expecting to pay a reduced duty or no duty. When the examining inspector charged [REDACTED] duty on the carpet, she sought clarification from the Customs supervisor [REDACTED] stated that she felt mistreated by the Customs supervisor

TRADITION

SERVICE

HONOR

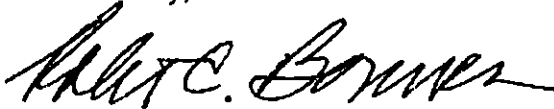
Let me assure you that Customs takes allegations of employee misconduct very seriously and has instituted policy pertaining to abuses of authority. Complaints of unprofessional behavior are recorded and investigated and disciplinary action is taken against Customs officers that are found to have violated policy. If we confirm employee misconduct, we will take firm and appropriate action to correct the situation. However, the Privacy Act prevents Customs from disclosing information on the nature of any discipline taken against the employee as a result of the allegation.

I understand that a member of my staff, [REDACTED], contacted [REDACTED] on January 3, 2002, to discuss [REDACTED] Customs processing as well as the calculation of the duty paid by [REDACTED]. [REDACTED] again stated that she had no problems with the examining inspectors and understood the Customs process. [REDACTED] main concern was the rude and unprofessional behavior by the supervisor. [REDACTED] reiterated to [REDACTED] that the allegations were being investigated.

AP
b(6)

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760

Yours truly,



Robert C. Bonner
Commissioner

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

November 8, 2001

Mr. Richard Quinn
Acting Assistant Commissioner
Office of Congressional Affairs
U.S. Customs Service
1300 Pennsylvania Avenue, N.W., Room 6.4-a
Washington, D.C. 20229

Dear Mr. Quinn:

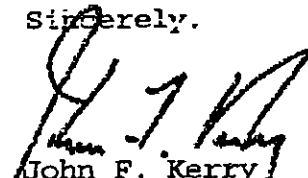
I am forwarding to you a copy of a letter from [REDACTED] concerning [REDACTED] employment issue. 66

It is the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is request.

I would appreciate your looking into this matter, keeping me informed of all developments, and sending copies of your findings and views to Daniel Gross, in care of my office.

Thank you for your time, consideration and cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/DJG



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229
202-927-2001 Fax 202-927-1380

Commissioner of Customs

February 11, 2002

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of November 8, 2001, on behalf of your constituent, [REDACTED]. In your correspondence, you asked that we review statements contained in [REDACTED] letter regarding [REDACTED] suitability for a Customs Inspector position. Please allow me to outline our findings for you.

*All
b(6)*

On August 16, 2001, a Notice of Proposed Action letter was sent to [REDACTED] outlining issues developed during [REDACTED] background investigation. The letter offered [REDACTED] the opportunity to make any comment or explanation that [REDACTED] may wish to offer for consideration by this Agency. On September 6, 2001, [REDACTED] submitted a response to our letter.

After careful review of [REDACTED] Background Investigation and [REDACTED] response to the various issues, we found [REDACTED] "unsuitable" for the position of Customs Inspector on September 18, 2001. [REDACTED] will be officially notified, in writing, concerning the "unsuitable" determination by the Office of Human Resources Management. At that time [REDACTED] will be provided a Merit Systems Protection Board (MSPB) "Appeal Procedures" package and advised that [REDACTED] has 30 days to file an appeal with the MSPB.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

TRADITION

Yours truly,

SERVICE

Robert C. Bonner
Commissioner

HONOR

JOHN KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES:
BANKING, HOUSING, AND
URBAN AFFAIRS
COMMERCE, SCIENCE,
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

October 17, 2001

Mr. Richard F. Quinn
Acting Assistant Commissioner, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1300 Pennsylvania Avenue, N.W., Room 6.4-A
Washington, D.C. 20229

Dear Mr. Quinn:

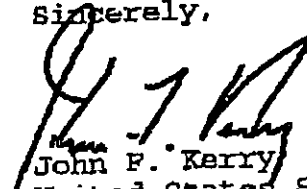
I am forwarding to you a copy of a letter from [REDACTED] concerning security issues in Toronto. 6(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss

PLEASE REPLY TO:

☐ 301 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-2742

☐ ONE BOWDOIN SQUARE
BOSTON, MA 02114
(617) 565-8519

☐ 222 MILLIKEN PLACE
SUITE 311
FALL RIVER, MA 02722
(508) 677-0522

☐ ONE FINANCIAL PLAZA
SPRINGFIELD, MA 01103
(413) 785-4810

☐ 90 MADISON PLACE
SUITE 205
WORCESTER, MA 01608
(508) 831-7280

email: john.kerry@senate.gov
www: http://www.senate.gov/kerry/

PRINTED ON RECYCLED PAPER



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229
202-927-2001 Fax 202-927-1380

November 29, 2001

Commissioner of Customs

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of October 17, 2001, on behalf of your constituent, [REDACTED], a U.S. Immigration and Naturalization Service (INS) inspector stationed at our Preclearance facility in Toronto, Ontario, Canada. In your correspondence, you asked that we respond to your constituent's concerns regarding security at the Lester B. Pearson International Airport in light of our recent national tragedy. Please allow me to address your constituent's concerns.

6(6)

Immediately following the attacks of September 11, 2001, officials at the seven airports in Canada, which preclear passengers destined for the United States, were requested to provide an armed Canadian law enforcement presence in support of our operation. With the assistance of Ambassador Paul Cellucci in Ottawa, this request was met and is continuing today.

Passengers are not permitted to leave the Federal Inspection Area after they have completed federal formalities and have surrendered their luggage to the carrier. Airport security personnel prohibit their exit and direct them to the appropriate air carrier representative. If the carrier agrees, and the passenger is permitted to leave the area, their checked luggage is retrieved from the baggage system and returned to the passenger. It is only at this point that the passenger may depart the area under escort by a representative from the airline.

In recent weeks, representatives from the State Department's Regional Security office, assigned to the Consulate General in Toronto, visited with Customs and INS employees to review and discuss personal safety measures in light of the recent events. On October 1, 2001, Transport Canada, Canada's equivalent to the Federal Aviation Administration, also implemented enhanced security measures at airports across Canada. The measures addressed the security of persons, carry-on baggage, and checked luggage.

TRADITION

SERVICE

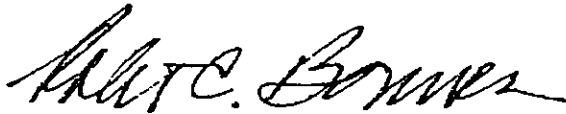
HONOR

I understand that a member of my staff, [REDACTED], spoke by telephone on October 25, 2001, with [REDACTED] of your Boston staff. [REDACTED] indicated that your office had also forwarded a copy of [REDACTED] letter to the INS for that agency's response.

ALL
b(6)

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,



Robert C. Bonner
Commissioner

United States Senate

WASHINGTON, DC 20510-2102

October 9, 2001

The Honorable Robert C. Bonner
Commissioner
U.S. Customs Bureau
1300 Pennsylvania Avenue, NW
Washington, DC 20229

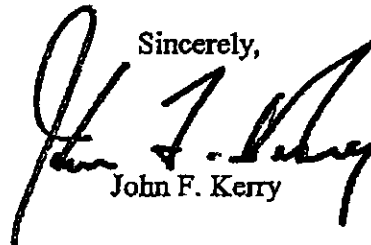
Dear Commissioner Bonner:

I am forwarding to you correspondence sent to the Director of Field Operations in San Juan, Puerto Rico, from Boston Harbor Cruises (BHC). BHC hopes to begin weekend fast-ferry service between the U.S. Virgin Islands and Fajardo, Puerto Rico this fall. However, the company has been informed that Customs officials are not available in Fajardo during the weekends.

BHC has proposed having passengers bound for Puerto Rico clear customs at the Gallows Bay terminal in St. Croix and the Blyden terminal in St. Thomas. The Customs Bureau maintains full-time operations in both of those ports. It is my understanding that ferry passengers will not be able to conduct commerce on the high seas while en route, thereby eliminating the need for passengers who clear Customs on exit from the Virgin Islands to pass through Customs again in Fajardo. I believe that this solution may be a sensible way of managing your agency's limited manpower resources in Puerto Rico.

Thank you for your prompt attention to this matter. I look forward to hearing from you.

Sincerely,



John F. Kerry

PLEASE RESPOND TO

☐ 304 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-2742

☐ ONE BOWDOIN SQUARE
BOSTON, MA 02114
(617) 565-8519

☐ 222 MILLIKEN PLACE
SUITE 311
FALL RIVER, MA 02722
(508) 677-0522

☐ ONE FINANCIAL PLAZA
SPRINGFIELD, MA 01103
(413) 785-4610

☐ 80 MADISON PLACE
SUITE 205
WORCESTER, MA 01608
(508) 831-7380

email: john_kerry@kerry.senate.gov
www: <http://www.senate.gov/~kerry/>

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010912-8-21-01 6/2



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229
202-927-2001 Fax 202-927-1380

November 5, 2001

Commissioner of Customs

The Honorable John F. Kerry
United States Senate
Washington, D.C. 20510

Dear Senator Kerry:

Thank you for your letter of October 9, 2001, on behalf of your constituent, [REDACTED], Director of Operations for Boston Harbor Cruises (BHC). In your correspondence, you asked that we respond to BHC plans to begin weekend fast-ferry service between the U.S. Virgin Islands (USVI) and Fajardo, Puerto Rico. We have completed our review of this matter. Please allow me to outline our findings.

*ALL
6(6)*

Customs Director of Field Operations at the Caribbean Customs Management Center, and other agency officials, met with [REDACTED] on September 27, 2001, to discuss [REDACTED] plans for the ferry. The Port of Fajardo has sufficient staff to provide the services requested by BHC and a commitment was made by local managers to allocate the necessary resources needed to support the BHC's ferry operations. Enclosed is a copy of a letter to Customs from [REDACTED], dated October 1, 2001, commenting on the meeting.

Your letter mentioned that BHC requested clearance services be provided in the USVI rather than at the Port of Fajardo. Customs does provide for "preclearance" operations at selected airports outside the continental United States, but this regulation applies only to aircraft and does not include ferryboats.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

TRADITION

Yours truly,

SERVICE

Robert C. Bonner
Commissioner

HONOR

Enclosure

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

June 8, 2001

Mr. Richard Quinn
Acting Assistant Commissioner
Office of Congressional Affairs
U.S. Customs Service
1300 Pennsylvania Avenue, N.W., Room 6.4-a
Washington, D.C. 20229

Dear Mr. Quinn:

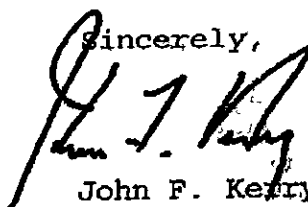
I am forwarding to you a copy of a letter from [REDACTED] of New Bedford, Massachusetts concerning a customs matter. b(6)

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter, keeping me informed of all developments, and sending copies of your findings and views to Roger Lau, in care of my office.

Thank you for your time, consideration and cooperation in this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/rwl



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229
202-927-2001 Fax 202-927-1380

July 25, 2001

Commissioner of Customs

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of June 8, 2001, on behalf of your constituent, [REDACTED]. In your correspondence, you requested assistance regarding the 100 percent duty that has been applied to [REDACTED] shipment of posters. We have recently completed our review of this matter. Please allow me to outline our findings.

*ALL
b(6)*

While we can sympathize with your constituent's concerns, the duty rates on imported goods are provided for in the Harmonized Tariff Schedule of the United States (HTSUS). The General Rules of Interpretation govern the classification of the goods in the tariff schedule. These are legal principles applied on the classification of merchandise. The U.S. Customs Service adheres to all of these legal principles when determining the classification for a specific imported good.

If [REDACTED] transaction is completed and the entry has been liquidated, [REDACTED] best recourse is to file a protest (CF-19). A protest is the legal appeal of the dutiable status on imported goods. Liquidation is the point at which the rate and amount of duty becomes final for most purposes. All protests must be filed within 90 days after liquidation to the Customs port in which the shipment was originally cleared. The protest needs to include all pertinent information on the entries involved, including copies of the original entry documents and a detailed explanation of the requested adjustment or refund. If the protest is denied, he also has the right to file a summons with the U.S. Court of International Trade within 180 days after denial of the original protest.

TRADITION

SERVICE

HONOR

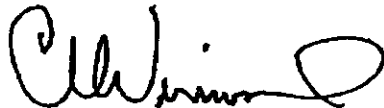
To assure a smoother entry process for future shipments, I would suggest [REDACTED] request a binding ruling. A binding ruling can identify the proper HTSUS classification and applicable duty rates for imported merchandise. In order to obtain information about the program, [REDACTED] can view our web site, at <http://www.customs.gov/impexpo/impexpo.htm>, click on "Importing into the United States," Section 13, "Dutiable Status of

Goods." After the appropriate documentation is submitted to Customs, a national import specialist evaluates the request and prepares a response. The national import specialist can provide a binding tariff classification ruling for your product that is binding at all U.S. ports unless revoked by the Office of Regulations and Rulings.

After taking the aforementioned steps, if [REDACTED] still feels the duty rates are unfair and [REDACTED] wishes to express [REDACTED] concerns regarding the duty rates of posters, I would encourage [REDACTED] to contact the Office of the U.S. Trade Representative, 600 17th Street N.W., Washington, D.C. 20508, visit their web site at www.ustr.gov, or call 1-888-473-8787.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,



Charles W. Winwood
Acting Commissioner

ALL
b(6)

JOHN KERRY
MASSACHUSETTSCOMMITTEES:
COMMERCE, SCIENCE,
AND TRANSPORTATION
FINANCE
FOREIGN RELATIONS
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

April 5, 2001

Mr. Charles W. Winwood
Acting Commissioner
U.S. Customs Service
1300 Pennsylvania Avenue, N.W.
Washington, D.C., 20229

Dear Commissioner Winwood:

I am writing to request that you look into an important matter regarding [REDACTED], one of my constituents from Marshfield, Massachusetts.

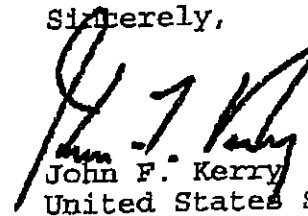
[REDACTED] 26 year career for the U.S. Customs Service has been one of distinction and has received many accolades and commendations for exemplary service. Throughout [REDACTED] career [REDACTED] rose through the ranks to eventually become the Special Agent in Charge of the Narcotic Smuggling Investigations Office in Boston, Massachusetts. [REDACTED] record of accomplishment, and leadership is to be commended.

[REDACTED] recently received a letter from the U.S. Customs Service to inform [REDACTED] that [REDACTED] had been reassigned to a post in Washington D.C. If [REDACTED] does not accept the post, [REDACTED] has the option of taking an early retirement. [REDACTED] will qualify for early retirement later on this month, however, [REDACTED] is not up for mandatory retirement for another seven years.

[REDACTED] has numerous personal responsibilities which would impede [REDACTED] from either alternative. [REDACTED] is the primary caregiver for [REDACTED] father, who is afflicted with Alzheimer's disease as well as other complications. Due to [REDACTED] father's medical condition, [REDACTED] is also the executor of [REDACTED] estate. These duties effectively impede [REDACTED] from accepting the reassignment to Washington. In addition, [REDACTED] has two children already in college and a third expected to enroll in 2002. Although [REDACTED] has been offered the alternative of an early retirement, the burden of financing the college education of three children would make that option impossible.

Due to [REDACTED] family and financial situation, I ask that you reconsider the decision to transfer [REDACTED] to Washington. Thank you for your attention regarding this matter. You may contact me in my Boston office at (617) 565-8519. 16(6)

Sincerely,



John F. Kerry
United States Senator

JFK/RL



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229
202-927-2001 Fax 202-927-1380

June 12, 2001

Commissioner of Customs

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

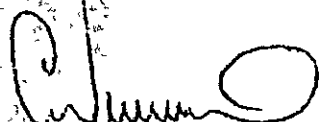
Thank you for your letter of April 15, 2001, on behalf of your constituent, [REDACTED]. In your correspondence, you requested a review of the reassignment of [REDACTED] to Headquarters. I appreciate hearing from you and sympathize with the fact that the relocation of [REDACTED] may be difficult for [REDACTED] family at this time. However, it would not be in the interest of the Customs Service to reconsider his reassignment.

APP
6(6)

[REDACTED] has served [REDACTED] entire career as a special agent with the Office of the Special Agent in Charge, Boston, Massachusetts, which [REDACTED] joined in May 1983. As a special agent, [REDACTED] has agreed to serve according to the needs of the Service. Unfortunately, this sometimes means that an agent must relocate. Agents' duties and responsibilities at Headquarters are quite different, though equally as important as those of field agents.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760

Yours truly,


Charles W. Winwood
Acting Commissioner

TRADITION

SERVICE

HONOR

Handwritten: *CE: OSA*
Re: [unclear]

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

January 3, 2001

Mr. William Lawrence
Director, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1301 Constitution Avenue, N.W., Room 2210
Washington, D.C. 20229

Dear Mr. Lawrence:

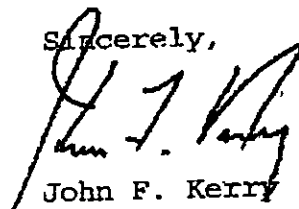
I am forwarding to you a copy of a letter from [REDACTED] concerning [REDACTED] companies efforts to conduct business with private citizens in Iran. 166

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Thomas L. Weber of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/tlw



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229
202-927-2001 Fax 202-927-1380

Commissioner of Customs

March 5, 2001

The Honorable John F Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of January 3, 2001, on behalf of your constituent, [REDACTED] owner of Ted Box Limited. In your correspondence, you asked for assistance in resolving the exportation of the artwork manufactured by Ted Box Limited to Iran. We have recently completed our review of this matter. Please allow me to outline our findings.

AR
b(6)

As you know, the Iranian Sanctions Program, Executive Orders 13059, 12959, and 12957 has severely limited all trade with Iran. The Office of Foreign Assets Control (OFAC), part of the Department of the Treasury, administers the embargo of Iranian goods, and the U.S. Customs Service enforces these sanctions at all ports of entry.

There are certain general licenses relating to small gifts, accompanied baggage, and household and personal effects that are allowed; however, as an exporter, [REDACTED] requires more specific direction. Therefore, we have sent your letter with that of [REDACTED] to [REDACTED], OFAC, U.S. Department of the Treasury Annex, 1500 Pennsylvania Avenue, N.W., Washington, D C. 20220, at (202) 622-2604. That office will respond directly to your request.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,

Charles W Winwood
Acting Commissioner

TRADITION

SERVICE

HONOR

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

December 8, 2000

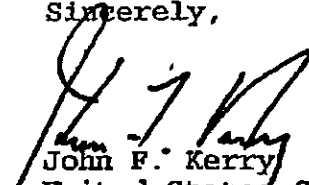
Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a letter from [REDACTED] and [REDACTED] of Somerville, Massachusetts regarding some difficulties they have experienced with the U.S. Customs Service. Their docket number is: CN20005206000602. *16(6)*

It is the desire of this office to be helpful and responsive to all inquiries received by this office. Any assistance you may be able to extend to them would be greatly appreciated. It would be appreciated if you would forward a copy of your findings to my Staff Assistant, Roger W. Lau of my Boston office.

Sincerely,


John F. Kerry
United States Senator

JFK/RL

PLEASE RESPOND TO:

☐ 304 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-2742

☐ ONE BOWDOIN SQUARE
- BOSTON, MA 02114
(617) 565-8519

☐ 222 MILLIKEN PLACE
SUITE 311
FALL RIVER, MA 02722
(508) 877-0522

☐ ONE FINANCIAL PLAZA
SPRINGFIELD, MA 01103
(413) 785-4610

☐ 90 MADISON PLACE
SUITE 205
WORCESTER, MA 01608
(508) 831-7380

email: john_kerry@kerry.senate.gov
www: <http://www.senate.gov/~kerry/>

PRINTED ON RECYCLED PAPER

0005622



U.S. Customs Service

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20229
202-927-2001 Fax 202-927-1380

March 6, 2001

Commissioner of Customs

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry.

Thank you for your correspondence of December 8, 2000, on behalf of your constituents, [REDACTED] and [REDACTED], of Affordable Business Services, Inc. In your correspondence, you asked that Customs review the difficulties they are experiencing regarding their money which was seized from their friend, [REDACTED], at Miami International Airport on April 21, 2000. We have recently completed our review. Please allow me to outline our findings.

AR
6(6)

There is no limit in terms of total amount of monetary instruments which may be brought into or taken out of the United States, nor is it illegal to do so. However, if you transport or cause to be transported (including by mail or other means) more than \$10,000 in currency or negotiable instruments on any occasion into or out of the United States, or if you receive more than that amount, you must file a report (Customs Form 4790) with the U.S. Customs Service (Currency & Foreign Transactions Reporting Act, 31 U.S.C. 5311, et seq.) This can be done at any port of entry or departure. Failure to comply can result in civil or criminal penalties. For reporting purposes, monetary instruments include, but are not limited to, U.S. or foreign coin in current circulation, currency, traveler's checks in any form, money orders, and negotiable instruments or investment securities in bearer form.

[REDACTED] failed to properly report [REDACTED] total currency; and, therefore, it was seized for violation of Title 31, U.S.C. section 5316/5317.

[REDACTED] was informed of the reporting requirements and asked if [REDACTED] wished to amend [REDACTED] statement. According to the letter sent to you by [REDACTED] and [REDACTED], the majority of the money [REDACTED] was transporting was for their business and for friends in Haiti. Unfortunately, [REDACTED] was still required to report it. The total amount seized from [REDACTED] was \$88,362.

TRADITION

SERVICE

HONOR

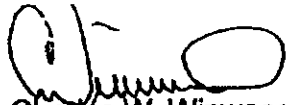
A petition was filed by Attorney [REDACTED] on behalf of [REDACTED] on May 21, 2000. Attached is a copy of the decision letter, dated January 9, 2001, denying the petition. Administrative forfeiture actions will commence on or about February 20, 2001

ADD
b(6)

If [REDACTED] or [REDACTED] have any additional questions or problems concerning this case, they can call [REDACTED] of the Miami Fines, Penalties, and Forfeiture Staff at [REDACTED]; or write to Miami Fines, Penalties, and Forfeiture Officer, P O. Box 52-2207, Miami, Florida 33152-2207

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Richard F. Quinn, Deputy Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760

Yours truly,



Charles W. Winwood
Acting Commissioner

Enclosure

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES
BANKING, HOUSING, AND
URBAN AFFAIRS
COMMERCE, SCIENCE
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

June 29, 2000

ORE
BANK
CC: [unclear]
CD

The Honorable Raymond Kelly
Commissioner
U.S. Customs Service
1300 Pennsylvania Ave., NW
Washington, DC 20229

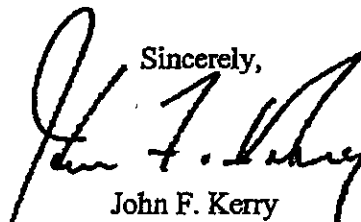
Dear Commissioner Kelly:

I am writing to you regarding the classification of movie posters produced in foreign countries under the Harmonized Tariff Schedule (HTS). These goods are currently classified as merchandise produced by lithographic offset (HTS 4911 91.2020), as are reproductions of artwork and photographs. Movie posters are inherently different from artwork or photograph reproductions since they are advertising materials used to market products in other countries.

This discrepancy was brought to my attention by a constituent of mine, [redacted] of Cambridge, Massachusetts, who sells both domestic and imported movie posters. Nationwide, there are several hundred businesses like [redacted]. I believe that a review of merchandise classified under HTS 4911.91.2020 could be beneficial to these businesses, which believe that their products differ significantly from artwork or photographic reproductions.

I hope that you will give this product your full consideration, and I look forward to your reply.

Sincerely,


John F. Kerry
United States Senate

cc. Stuart Seidel, Associate Commissioner for Regulations and Rulings
Joseph Reese, Trade Ombudsman



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C. 20229
202-927-2001 Fax 202-927-1380

August 28, 2000

Commissioner of Customs

The Honorable John F. Kerry
United States Senate
Washington, D C 20510

Dear Senator Kerry:

Thank you for your letter of June 29, 2000, on behalf of your constituent [REDACTED]. In your correspondence, you asked us to review the classification of movie posters under the Harmonized Tariff Schedule of the United States (HTSUS). We have recently completed our review. Please allow me to outline our findings.

*All
6(6)*

You state in your letter that although movie posters are used to market products in other countries and are inherently different from artwork or photograph reproductions, [REDACTED] pointed out to you that Customs classifies all these articles under the same tariff provision, subheading 4911.91.2020, HTSUS.

Heading 4911, HTSUS provides for other printed matter, including printed pictures and photographs. This heading includes pictures and photographs printed by lithography, including offset lithography. I am enclosing a copy of a recent ruling we issued which explains why printed reproductions of oil paintings and/or photographs are classified in subheading 4911.91.2020, HTSUS.

As to the classification of the movie posters in subheading 4911.91.2020, HTSUS, we cannot tell you with certainty that they are, in fact, classifiable in that provision because we do not have sufficient information about the merchandise. However, we will gladly review the classification of [REDACTED] posters if [REDACTED] will send us a complete description of the manufacturing process and a sample.

Merchandise entered under subheading 4911.91.20, HTSUS, is currently on the list of products subject to increased duties (100 percent in this case) as a result of the European Communities not complying with dispute settlement rulings in the World Trade Organization (WTO) *Banana* case. The merchandise is under review by the Office of the United States Trade Representative to determine if it should remain on

TRADITION

SERVICE

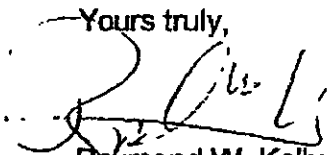
HONOR

the list and/or if it should be subject to higher duties [REDACTED] may want to look at the Federal Register Notice dated May 31, 2000, concerning the review of the list. It is available on the United States Trade Representative web site (www.ustr.gov).

6(6)

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. L. Seth Statler, Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,



Raymond W. Kelly
Commissioner

Enclosure

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES
BANKING HOUSING AND
URBAN AFFAIRS
COMMERCE SCIENCE,
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2969
(617) 565-8519
June 14, 2000

U.S. Customs Service
Office of Congressional Affairs
1300 Pennsylvania Avenue
6.4A
Washington, D.C. 20229

To Whom it May Concern:

I am forwarding to you a letter received by Senator Kerry's Boston office from [REDACTED] b(6)
[REDACTED] who is seeking redress regarding a grievance involving a warehouse storage fee.

As the request is outside of the realm of Senator Kerry's jurisdiction, I would appreciate your looking into this matter and sending this office a copy of your findings and views to the above listed address.

I would also appreciate your office confirming receipt of the enclosed at (617) 565-8519. Thank you for your cooperation in this matter.

Sincerely,



Benedict G. Dobbs
Assistant to Senator John Kerry

JK/bgd



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229
202-927-2001 Fax 202-927-1380

September 11, 2000

Commissioner of Customs

The Honorable John Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of June 14, 2000, on behalf of your constituent, [REDACTED]. In your correspondence, you requested we address a grievance concerning warehouse storage fees incurred by [REDACTED]. We have recently completed our review. Please allow me to outline our findings.

[REDACTED] shipment left Australia on January 8, 2000, and arrived at Newark, New Jersey, on February 1, 2000, in a Rose Container Line consolidated cargo container. Rose Container Line then sent the shipment to Boston Freight Terminal (BFT), where it arrived on February 10, 2000. On February 22, 2000, the BFT informed Rose Container Line, in writing, that [REDACTED] cargo (reference number: 406324273) would be transferred to a General Order (G.O.) warehouse on February 25, 2000, if the appropriate entry documents were not presented.

The consignee ([REDACTED] or [REDACTED] agent, Phoenix International) had 15 days from the shipment's arrival date to provide the appropriate entry documents until it had to be moved into the G.O. warehouse. Since no entry was made on the goods by February 25, 2000, the cargo was moved to the warehouse, managed by Coastal, Inc. (G.O. warehouse number: 01016). Records indicate that all goods contained in the Rose Container Line's consolidated shipment container were released, except for [REDACTED] shipment (154 pounds of cargo) for lack of entry documentation.

It appears that either Phoenix International, [REDACTED] agent, did not notify [REDACTED] client of the arrival so that the entry could be made or Rose Container Line, the shipper, did not notify Phoenix International, your constituent's agent, of the arrival of goods.

TRADITION

SERVICE

HONOR

ALL
6(6)

ALL
b(6)

Phoenix International sent your constituent an arrival notice/invoice on March 10, 2000. The paperwork shows that Phoenix International invoiced your constituent \$106.24, at 159 Summer Street, Maynard, Massachusetts 01754. The invoice seems to also serve as notification of the arrival of goods (Reference number: 01090500007913001) at the BFT. The warehouse released these goods on April 2, 2000.

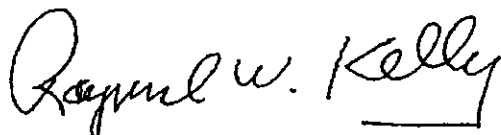
Customs sympathizes with your constituent's concerns and agrees that his agent or shipper should have notified him. This notification could have avoided storage charges incurred, denoted by your constituent as \$642.50

We advise your constituent to address the shipper (Rose Container Line) and agent (Phoenix International) to determine which company is responsible for informing him of the arrival of his goods and is thus culpable for the charges he incurred. The issue of compensation for G.O. storage fees should rest on that company

reference to the BFT regarding its financial interest in warehousing merchandise is misguided. The warehouse is a separate entity from BFT and has no connection, real or implied, to the monies collected by the G.O. warehouse. In actuality, it is much more difficult for the BFT to collect the required service fees (unloading and storage) rendered to a shipment once it is transferred to the G.O. warehouse. This is because, once moved, the cargo may never be claimed and may constitute a monetary loss to BFT for service charges incurred.

Thank you for the opportunity to address concerns. I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. L. Seth Statler, Assistant Commissioner, Office of Congressional Affairs, at (202) 927-1760.

Yours truly,



Raymond W. Kelly
Commissioner

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES
BANKING, HOUSING AND
URBAN AFFAIRS
COMMERCE, SCIENCE,
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

May 11, 2000

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

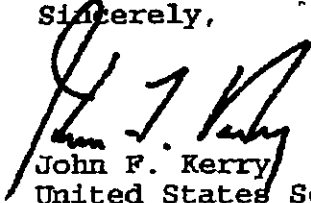
I am writing to you on behalf of my constituent, [REDACTED], who has contacted me regarding his concerns about a misspelling on a U.S. Customs Declaration form. 6(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to my Staff Assistant, Joanna Garelick, of my Boston office.

I thank you for your assistance and cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/JLG
Enclosure



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C 20229
202-927-2001 Fax 202-927-1380

Commissioner of Customs

June 13, 2000

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of May 11, 2000, on behalf of your constituent, [REDACTED]. In your correspondence, you asked that we address the concerns that [REDACTED] has raised about some typographical errors found on a Customs Form 6059B, Customs Declaration

*ALL
6(6)*

The U S. Customs Service procures the printing of this form in the millions annually, with nationwide distribution to Customs ports and the travel industry. However, private firms are not mandated to use the Customs-produced version of the form and many of them print their own copies. In these instances, errors do occasionally occur. This is the case with the copy [REDACTED] received printed by Seminole Printing. We agree with [REDACTED] that the spelling error is an embarrassment and we are very grateful for [REDACTED] concern and action.

In the future, we will provide a camera copy to all printers, requesting that they overprint their company name on the bottom left corner on the face of the form. This eliminates typesetting and reduces their costs. Hopefully, it will also eliminate typographical errors. As we receive requests for a camera copy, a mailing list will be compiled and a new camera copy will automatically be sent for all future revisions.

I hope this information has been helpful to you in replying to [REDACTED]. If we may offer further assistance, please contact me or have a member of your staff contact [REDACTED], Acting Branch Chief, Information Services Branch, at (202) 927-0574

Yours truly,

Raymond W. Kelly
Raymond W. Kelly
Commissioner

TRADITION

SERVICE

HONOR

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

April 7, 2000

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

I am writing to you on behalf of my constituents, [REDACTED] 16(b)
[REDACTED], who have contacted me regarding their difficulties
with obtaining artwork through U.S. Customs.

It is the desire of this office to be responsive to all
inquiries and communications. I respectfully ask for your
assistance in resolving the issues outlined in this
correspondence.

Please forward a copy of your findings to my Staff
Assistant, Joanna Garelick, of my Boston office.

I thank you for your assistance and cooperation in this
matter.

Sincerely,

John F. Kerry
John F. Kerry
United States Senator

JFK/JLG
Enclosure

PLEASE RESPOND TO:

☐ 421 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-2742

☐ ONE BOWDOIN SQUARE
BOSTON, MA 02114
(617) 565-8519

☐ 222 MILLIKEN PLACE
SUITE 311
FALL RIVER, MA 02722
(508) 677-0522

☐ 145 STATE STREET
SPRINGFIELD, MA 01103
(413) 785-4610

☐ 90 MADISON PLACE
SUITE 205
WORCESTER, MA 01608
(508) 831-7380

email: john_kerry@kerry.senate.gov
www: <http://www.senate.gov/~kerry/>

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0001677



U.S. Customs Service

1300 Pennsylvania Avenue, N W Washington, D C. 20229
202-927-2001 Fax 202-927-1380

Commissioner of Customs

July 3, 2000

Senator John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry

Thank you for your letter of April 7, 2000, on behalf of your constituent, [REDACTED] of Pucker Gallery in Boston. In your correspondence, you asked that we look into the difficulties [REDACTED] is having importing artwork. We have recently completed our review of this matter. Please allow me to outline our findings.

ALL
b(6)

The Pucker Gallery imported a shipment of vases, plates, bottles, teacups, and other similar articles, from Japan. The gallery's broker listed the merchandise as duty-free tariff "original sculptures and statuary." However, some of the shipping documents listed the items as "mass-produced reproductions or works of conventional craftsmanship of a commercial character." Even if designed or created by artists these articles do not qualify as duty-free under U.S. law.

However, since the shipment is in a "gray area," we approved its temporary entry duty-free until a more thorough review is completed. We will determine if the pottery can be imported as original sculptures and, therefore, eligible to remain duty-free.

[REDACTED] explained in his letter that Customs Import Specialist, [REDACTED], was unwilling to address [REDACTED] questions when [REDACTED] spoke with [REDACTED]. Please allow me to outline for you the steps Customs is taking to ensure this matter is handled appropriately. Under Customs uniform system for reviewing allegations of misconduct, misconduct allegations are reported to the Office of Internal Affairs (IA). The information [REDACTED] provided has been referred to IA and is being reviewed by a specially trained group of IA personnel and employee relations specialists. That group will determine the appropriate course of action for addressing the allegation.

TRADITION

SERVICE

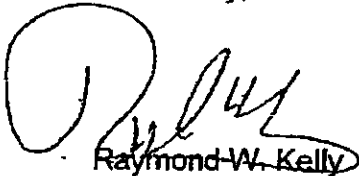
HONOR

If the investigative findings substantiate the concerns that were raised, Customs will take firm and appropriate action to correct the situation. However, the Privacy Act prevents Customs from disclosing information on the nature of any discipline taken against the employee as a result of the allegation.

Thank you for the opportunity to address [REDACTED] concerns. I am confident that his future encounters with the U S Customs Service will be both professional and pleasant.

If we may offer further assistance, please contact me or have a member of your staff contact Mr. Paul Schwartz, Director, Trade Enforcement and Control, at (202) 927-0370.

Yours truly,


Raymond W. Kelly
Commissioner

cc: IA

6(6)

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES
BANKING HOUSING AND
URBAN AFFAIRS
COMMERCE SCIENCE
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

July 23, 1999

OPR
cc: CP
Su 9902

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:


I am writing to you on behalf of my constituent, [REDACTED], who has contacted me regarding his ongoing claim with the United States Customs Service. 6(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to my Staff Assistant, Joanna Garelick, of my Boston office.

I thank you for your assistance and cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/JLG
Enclosure

9903364



THE COMMISSIONER OF CUSTOMS

August 11, 1999

WASHINGTON, D.C.

RR:CR:TE

963364 SG

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of July 23, 1999, on behalf of your constituent, [REDACTED] of REXAM DSI. [REDACTED] contacted your office regarding [REDACTED] request for reconsideration of the tariff classification of REXAM DSI's product, Skivertex®. A review of this matter was recently completed. Please allow me to outline our findings

*All
b(6)*

By letter dated March 9, 1998, [REDACTED], Esq. of Fitch, King and Caffentzis, counsel for REXAM DSI, requested reconsideration of the tariff classification under the Harmonized Tariff Schedule of the United States Annotated (HTSUSA) of a jewelry box, the subject of Headquarters ruling letter (HQ) 960454, dated December 9, 1997. The ruling in question was issued to Meadows Wye & Co., a Customs broker acting on behalf of Fortunoff Jewelry & Silverware, Inc. [REDACTED] advised that REXAM DSI was the United States manufacturer of the material covering the jewelry boxes which were the subject of the ruling for which reconsideration was sought. By letter dated March 18, 1998, [REDACTED], Esq., currently of Graham & Nash, also requested reconsideration of HQ 960454, on behalf of [REDACTED] client, Fortunoff Jewelry & Silverware, Inc. By letter dated March 30, 1998, [REDACTED] requested that the appeal filed on behalf of Fortunoff Jewelry & Silverware, Inc., and REXAM DSI's application be consolidated.

HQ 960454 held that a molded plastic jewelry box covered on all sides, except its top, with Skivertex® was classified in subheading 4202.92.9060 of the HTSUSA, which provides for jewelry boxes with an outer surface of sheeting of plastic or of textile materials. The applicable duty at the 1999 general rate is 18.8 percent.

Counsel for both Fortunoff and REXAM DSI seek revocation of HQ 960454 as it is their view that the outer surface of the jewelry box is not of plastic sheeting but is of coated paper. Reclassification of the subject jewelry boxes is sought in subheading 4202.99.1000 of the HTSUSA, as a plastic jewelry box wholly or mainly covered with paper. The 1999 rate of duty would be at 3.4 percent.

A key issue in HQ 960454 is whether the latex coated paper which covers the jewelry box constitutes an outer surface of plastic sheeting. The question of what is a plastic sheeting is currently pending before the Court of International Trade in the case entitled Same v. United States, Court No. 97-06-00959S. Same was set for trial in July, however as both parties filed Motions for Summary Judgement, which are currently before the Court, no trial was held nor has it been rescheduled.

Section 177.7(b) of the Customs Regulations (19 CFR 177.7(b)) provides that rulings will not be issued in certain circumstances. Section 177.7(b) states, in pertinent part, that:

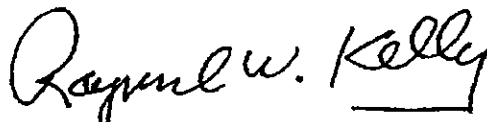
No ruling letter will be issued with respect to any issue which is pending before the United States Court of International Trade, the United States Court of Appeals for the Federal Circuit, or any court of appeal therefrom.

Contrary to [REDACTED] position that the issue raised in Same is irrelevant to the jewelry box issue, the same issue is presented for judicial review in Same as that ruled on in HQ 960454—what does the tariff mean when it provides, "With outer surface of sheeting of plastic." Accordingly, in light of Same, and 19 CFR 177.7(b), Customs is precluded from taking any action on [REDACTED] request until the judicial action is finally resolved.

While I understand [REDACTED] frustration at Customs for not ruling on the request for reconsideration, let me assure you that Customs has no record of any instance in which [REDACTED], or [REDACTED] attorney, requested and was denied the opportunity for a personal conference. As a matter of policy, any party requesting a ruling from Customs is entitled to such a conference.

I appreciate your interest in the Customs Service. If we may be of further assistance, please do not hesitate to contact me or have a member of your staff contact [REDACTED] at (202) 927-1695.

Yours truly,



Raymond W Kelly
Commissioner

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES
BANKING, HOUSING, AND
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COMMERCE, SCIENCE,
AND TRANSPORTATION
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SMALL BUSINESS

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

July 19, 1999

OTO
CC: CFA

Mr. William Lawrence
Director, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1301 Constitution Avenue, N.W., Room 2210
Washington, D.C. 20229

Dear Mr. Lawrence:

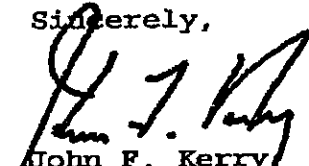
I am writing to you on behalf of my constituents, [REDACTED] and the members of the United Food and Commercial Workers Local 1445, who have contacted me regarding a decision made earlier this year by the United States Customs Service, specifically concerning the offloading of frozen fish at the port of Gloucester, Massachusetts. Members of Local 1445 have expressed their concern about the number of good-paying union jobs that they suspect will be adversely affected as a result of the decision.

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to my Staff Assistant, Joanna Garelick, of my Boston office.

I thank you for your assistance and cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/JLG
Enclosure

99-33322



THE COMMISSIONER OF CUSTOMS

August 19, 1999

WASHINGTON, D.C.

FO.TP C.C PF

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of July 19, 1998, on behalf of your constituents, [REDACTED] and the members of the United Food and Commercial Workers Local 1445. In your correspondence, you asked us to assist you in resolving the issues concerning the offloading of frozen fish at the Port of Gloucester, Massachusetts. Please allow me to respond to this specific issue. b(6)

Enclosed is a copy of the U S Customs ruling concerning the issue and a copy of our response that was mailed to your constituent on June 25, 1999. We reviewed our ruling again and consider it to be legally correct. U.S. Customs understands your constituents' concerns. The Port Director of Boston and other U.S. Customs officials met on July 2, 1999, with the Mayor of Gloucester, trade members, and congressional staff to explain our position. It is our belief that this is a matter that can only be addressed through legislative action.

I appreciate your interest in the U.S. Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact [REDACTED] at (202) 927-0360. b(6)

Yours truly,

Raymond W. Kelly
Commissioner

Enclosure

JOHN KERRY
MASSACHUSETTSCOMMITTEES:
BANKING, HOUSING, AND
URBAN AFFAIRS
COMMERCE, SCIENCE,
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

June 28, 1999

Raymond W. Kelly
Commissioner of Customs
U.S. Customs Service
1300 Pennsylvania Avenue NW
Washington D.C., 20229

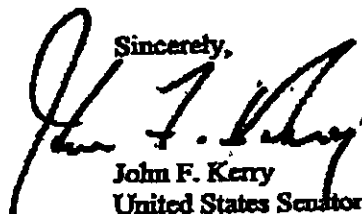
Dear Commissioner Kelly,

Thank you for responding to my inquiry concerning the Russian freighter *Granitnyy Bereg* and its apparent violation of the Nicholson Act. Bruce J. Tobey, the mayor of Gloucester, Massachusetts, wishes to be briefed further on this incident. In particular, Mayor Tobey would like to learn more about the Nicholson Act and the restrictions it imposes on foreign trade. I would appreciate it if a representative from your Boston or Washington D.C. office could attend this meeting that is scheduled for 10 a.m., July 2, 1999 at Gloucester City Hall.

I expect that staff from the office of Senator Kennedy, Congressman Tierney, and my office will attend this meeting. Please contact [REDACTED] of Mayor Tobey's office for further details. [REDACTED] can be reached at 978-281-9700.

16(6)

Sincerely,



John F. Kerry
United States Senator

PLEASE RESPOND TO:

☐ 421 RUSSELL SENATE OFFICE BUILDING
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(202) 224-8742

☐ ONE BOWDOIN SQUARE
BOSTON, MA 02114
(617) 585-8818

☐ 221 MILLBEN PLACE
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FALL RIVER, MA 02722
(508) 677-0522

☐ 145 STATE STREET
SPRINGFIELD, MA 01103
(413) 783-1810

☐ 80 MADISON PLACE
SUITE 206
WORCESTER, MA 01608
(508) 831-7300

email: john.kerry@jerry.senate.gov
www: http://www.senate.gov/~kerry/

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THE COMMISSIONER OF CUSTOMS

July 21, 1999

WASHINGTON, D.C.

FO:TP:C:C VA

The Honorable John F. Kerry
United States Senate
Washington, D.C. 20510

Dear Senator Kerry:

This is a follow-up to your inquiry of June 28, 1999, concerning the Russian freighter Granitnyy Bereg and the application of the Nicholson Act. In your correspondence, you requested that Customs representatives participate in a meeting with Mayor Bruce J. Tobey of Gloucester, Massachusetts, to further clarify the application of the Nicholson Act. I am pleased to report to you the outcome of the meeting.

On July 2, 1999, Customs representatives from the Port of Boston met with Mayor Tobey to brief him on the restrictions imposed by the Nicholson Act on fish received on the high seas, and imported into the United States onboard unqualified vessels. Representatives from local shipping and fish processing concerns were also present at this meeting.

As a follow-up to the meeting, Customs was asked to provide an explanation of the line of demarcation between territorial waters of foreign countries and the high seas for purposes of application of the Nicholson Act. Industry participants subsequently submitted a list of 12 countries of interest to them. Enclosed please find information which sets forth, for each of the 12 countries, the point at which receipt of fish and subsequent landing in the United States would be of concern under the Nicholson Act.

Thank you for your interest in the Customs Service. If we may be of further assistance, please contact me or have a member of your staff contact Ms. Vera Adams at (202) 927-0360.

Yours truly,

Raymond W. Kelly
Commissioner

Enclosure

Territorial Waters of Foreign Countries

Listed below are the lines of demarcation between the territorial waters of certain foreign countries and the high seas:

Argentina	12 mi. territorial
Brazil	12 mi. territorial
Canada	12 mi. territorial
Greenland (Denmark)	3 mi. territorial
Iceland	12 mi. territorial
Japan*	12 mi. territorial
Norway	4 mi. territorial
People's Republic of China	12 mi. territorial
Poland	12 mi. territorial
Republic of Korea**	12 mi. territorial
Russian Federation	12 mi. territorial
Union of South Africa	12 mi. territorial

* Japan's territorial sea remains less than 12 miles in five international straits: La Perouse (Soya), Tsugaru, Osumi, Eastern and Western Channel, and Tsushima.

** S. Korea's territorial sea remains less than 12 miles in the Korea Strait.

If you require additional information regarding territorial water boundaries, you may contact Mr. David Hogan, U.S. Department of State, Bureau of Oceans and International Environmental and Scientific Affairs, Office of Marine Conservation at (202) 647-2335

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

April 26, 1999

Mr. William Lawrence
Director, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1301 Constitution Avenue, N.W., Room 2210
Washington, D.C. 20229

Dear Mr. Lawrence:

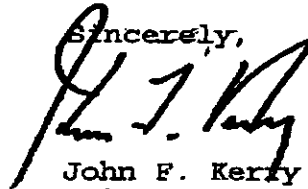
I am forwarding to you correspondence from [REDACTED] of Walpole, Massachusetts regarding [REDACTED] problem with your agency. 166

Because of the desire of this office to be responsive to all inquiries and communications, your consideration to the attached is requested.

I would appreciate your looking into this matter and sending me a copy of your findings and views, to the attention of my assistant Jim Shaer, in care of my Boston, Massachusetts office. I would also appreciate your office confirming receipt of the enclosed to Jim at the above listed telephone number.

Thank you for your cooperation in this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/jds

Enclosure

9901805

THE COMMISSIONER OF CUSTOMS



May 17, 1999

WASHINGTON, D.C.

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 20114

Dear Senator Kerry:

Thank you for your correspondence dated April 26, 1999, on behalf of your constituent, [REDACTED], commenting on the scope of the U.S.-Canada Softwood Lumber Agreement. Please allow me to explain the current status.

b(6)

Customs recently published on the Customs Bulletin on March 10, 1999, Vol 33, No. 10, a notice of a proposed revocation of a Customs ruling relating to rougher header lumber. The comments submitted by your constituent represent one side of the different views of the industry on this very sensitive issue. The 30-day comment period for this notice ended on April 9, 1999. As such, Customs is currently under a period of review wherein all of the submitted comments, including the one received from your constituent and various individuals, will be analyzed before a decision is made on this issue.

When the review period is over and a final determination is reached, we will be happy to share our decision with you.

As you are aware, Customs is responsible for administering the Tariff Act of 1930, as amended, and for enforcing some 600 laws, regulations and international agreements on international traffic and trade for 60 other government agencies. We believe we administer the provisions over which we have responsibility in a fair and impartial manner. The tariff coverage of the U.S.-Canada Softwood Lumber Agreement was negotiated by the Office of the Trade Representative on behalf of the United States with the Canadian Government and represents the trade policy of the United States. Questions involving trade policy should be directed to that office. The scope of particular tariff provisions is determined by Customs, which takes into consideration the statutory language as enacted by Congress and any judicial decisions interpreting that language. The Court of International Trade recently ruled in the case of American Bayridge

Corp. v. United States, Court No. 98-08-02682, decided December 16, 1998, on the classification of drilled studs. That judicial decision had a direct impact on the tariff classification of all merchandise classified within Chapter 44 of the Harmonized Tariff Schedule of the United States, (19 U.S.C. 1202) and indirectly the coverage of the U.S.- Canada Softwood Lumber Agreement. The Court's interpretation will govern Customs classification of lumber including the rougher header lumber until reversed by a higher court or changed through legislative action. We trust the foregoing is of help to you and your constituent in understanding this very sensitive issue.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact [REDACTED] at (202) 927-2394.

Yours truly,


Raymond W. Kelly
Commissioner

b(6)

RW
OFF
ce CPA
RWR
13

Congress of the United States

Washington, DC 20515

April 8, 1999

Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1300 Pennsylvania Avenue NW
Section 6.4-a
Washington D.C., 20229

Dear Ms. Bryant,

On April 7, 1999, U.S. Customs officials in Gloucester Massachusetts confiscated frozen pollack that was being transported ashore from the Russian cargo ship *Granitnyy Bereg*. We understand the action was taken because of an alleged violation of the Nicholson Act.

According to the local shipping agent, [REDACTED], the Russian ship began unloading its cargo on March 26, 1999. The agent also states that the Gloucester Customs Office "cleared" this action two weeks ago. It was not until the local Customs Office received an anonymous call yesterday that this was deemed a violation of the Nicholson Act. 6(6)

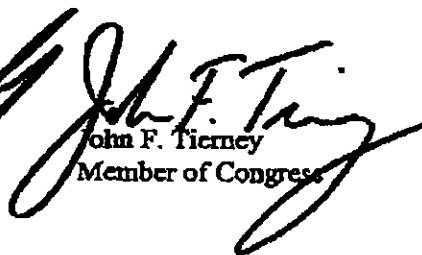
Please provide us a written report on this matter as soon as possible. In particular, we are interested to find out if the cargo was in fact "cleared" by the Gloucester Customs Office two weeks ago and why the cargo was later deemed to be in violation of the Nicholson Act.

We thank you in advance for providing this information, which we are sure will help clarify the circumstances that created this situation.

Sincerely,


John F. Kerry
United States Senator


Edward M. Kennedy
United States Senator


John F. Tierney
Member of Congress

9901509



THE COMMISSIONER OF CUSTOMS

June 18, 1999

WASHINGTON, D.C.

FO:TP C C REW

The Honorable John F. Kerry
United States Senate
Washington, D.C. 20510

Dear Senator Kerry:

Thank you for your letter of April 8, 1999. In your correspondence, you asked for information regarding an importation of fish and the actions we have taken regarding this matter. Please allow me to outline the circumstances for you.

The *MV Granitnyy Bereg* arrived in Gloucester, Massachusetts, on March 25, 1999. On April 6, 1999, we were informed that the cargo on board the *MV Granitnyy Bereg* had been loaded at sea and transported to Gloucester in violation of the "Nicholson Act", 46 U.S.C. chapter 12 section 251(a).


The cargo manifest provided at the time of the boarding stated that the port of lading for the cargo was Petropavlousk-Kamchatskiy, Russia. At no time did the Captain or any member of the crew inform the Customs Inspector that the cargo was loaded at sea.

On April 7, 1999, the inspector, along with a Petty Officer from the U.S. Coast Guard, reboarded the vessel. The Captain said that the cargo was loaded in international waters to avoid paying Russian duties and fees. This was notated in the ship's log.

After it was confirmed that a violation of the Nicholson Act took place, Customs placed a hold on the fish and issued a detention notice. Additionally, the ship was ordered to cease unloading the remaining cargo. Although the shipment's brokers had already received clearance for the cargo, the clearance was based on information from the manifest. Clearance would not have been granted had Customs been aware of the full extent of the circumstances.

If we may offer further assistance, please contact me or have a member of your staff contact Ms Vera Adams at (202) 927-0360.

Yours truly,

A handwritten signature in black ink that reads "Raymond W. Kelly". The signature is written in a cursive style with a large, stylized "R" and "K".

Raymond W Kelly
Commissioner

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

March 26, 1999

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

I am writing to you on behalf of my constituent, [REDACTED] 16(6)
[REDACTED], who has contacted me regarding [REDACTED] dealings with the
United States Customs Service.

It is the desire of this office to be responsive to all
inquiries and communications. I respectfully ask for your
assistance in resolving the issues outlined in this
correspondence.

Please forward a copy of your findings to my Staff
Assistant, Joanna Garelick, of my Boston office.

I thank you for your assistance and cooperation in this
matter.

Sincerely,

John F. Kerry
John F. Kerry
United States Senator

JFK/JLG
Enclosure



THE COMMISSIONER OF CUSTOMS

WASHINGTON, D.C.

April 22, 1999

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

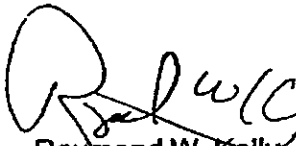
Thank you for your letter of March 26, 1999, on behalf of your constituent, [REDACTED]. In your correspondence, you asked for assistance in resolving the issues outlined in correspondence from [REDACTED]. I am glad we can be of assistance. Please allow me to outline the situation as I understand it.

[REDACTED] has initiated at least five federal administrative actions in which [REDACTED] raises the concerns that [REDACTED] has expressed in [REDACTED] letter to you. Because these issues are pending before the Equal Employment Opportunity Commission, the Merit Systems Protection Board and/or the Office of Special Counsel, we are not able to comment on [REDACTED] specific concerns. Through these administrative processes, I am very confident [REDACTED] will receive fair consideration in accordance with all applicable law and regulations.

Further, let me assure you that I actively support equal opportunity in the workplace for all employees and their reliance on the rights afforded them under applicable laws.

I appreciate your interest in the Customs Service. If we may offer further assistance, please don't hesitate to contact me.

Yours truly,


Raymond W. Kelly
Commissioner

ALL
b(6)

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

March 12, 1999

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

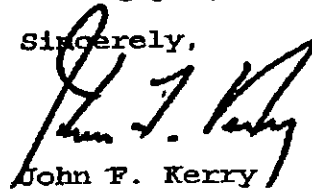
I am writing to you on behalf of my constituent, [REDACTED], who has contacted me regarding [REDACTED] dealings with the United States Customs Service. 16(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to my Staff Assistant, Joanna Garelick, of my Boston office.

I thank you for your assistance and cooperation in this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/JLG
Enclosure



THE COMMISSIONER OF CUSTOMS

May 17, 1999

WASHINGTON, D.C.

FO P CSU120 DL

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of March 12, 1999, on behalf of your constituent, [REDACTED]. In your correspondence, you asked for a review of the events surrounding [REDACTED] concern over excessive search of passengers and baggage by the Customs Service on flights from Jamaica. Please allow me to outline our findings for you.

A thorough review of this matter disclosed that there is an increased narcotics threat from Jamaica. Most of the narcotics being smuggled into the United States by air passengers is now arriving from Jamaica. As a result, flights originating in Jamaica are, in fact, being examined more closely. [REDACTED] observation of Customs officers opening liquor bottles is a reflection of the extent to which smugglers are resorting to concealing narcotics.

I regret any inconvenience [REDACTED] may have experienced. I hope [REDACTED] understands the difficult job that Customs officers are faced with and trust that [REDACTED] future dealings with Customs will be more pleasant.

I appreciate your interest in the Customs Service. If we may offer further assistance, please contact me or have a member of your staff contact Mr. Robert Jacksta, Acting Director, Passenger Programs at (202) 927-0530.

Yours truly,


Raymond W. Kelly
Commissioner

ALL
6(6)

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

January 29, 1999

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:


I am writing to you on behalf of my constituent, [REDACTED], who has contacted me regarding [REDACTED] previous inquiries to the United States Department of the Treasury. 16(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to my Staff Assistant, Joanna Garelick, of my Boston office.

I thank you for your assistance and cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/img
Enclosure

THE COMMISSIONER OF CUSTOMS



WASHINGTON, D.C.

March 3, 1999

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of January 29, 1999, addressed to Ms. Gloria Bryant, Director, Office of Congressional Affairs, in which you asked for assistance in resolving the issues outlined in correspondence from your constituent.


*All
b(6)*

[REDACTED] has initiated at least five federal administrative actions in which [REDACTED] raises the concerns that [REDACTED] has expressed in [REDACTED] letter to you. Because these issues are pending before the Equal Employment Opportunity Commission, the Merit Systems Protection Board and/or the Office of Special Counsel, we are not able to comment on [REDACTED] specific concerns. Through these administrative processes, I am very confident [REDACTED] will receive fair consideration in accordance with all applicable law and regulations.

Further, let me assure you that I support equal opportunity in the workplace for all employees and their reliance on the rights afforded them under applicable laws.

Please let me know whenever we may be of service.

Sincerely,


Raymond W. Kelly
Commissioner

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES:
BANKING, HOUSING, AND
URBAN AFFAIRS
COMMERCE, SCIENCE,
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

January 7, 1999

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

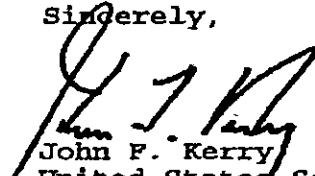
I am writing to you on behalf of my constituent, [REDACTED] 16(6)
[REDACTED] who has contacted me regarding the problems with [REDACTED]
retirement from the United States Customs Service.

It is the desire of this office to be responsive to all
inquiries and communications. I respectfully ask for your
assistance in resolving the issues outlined in this
correspondence.

Please forward a copy of your findings to my Staff
Assistant, Joanna Garelick, of my Boston office.

I thank you for your assistance and cooperation in this
matter.

Sincerely,


John F. Kerry
United States Senator

JFK/JLG
Enclosure

9900206



DEPARTMENT OF THE TREASURY

U. S. CUSTOMS SERVICE

OFFICE OF CHIEF COUNSEL

JAN 28 1999

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Tenth Floor
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of January 7, 1999, addressed to Ms. Gloria Bryant, Director, Office of Congressional Affairs, in which you request the response of the U.S. Customs Service to the concerns detailed in letters from your constituent, [REDACTED] a former Assistant Commissioner who left the rolls of the agency in July 1998 in order to retire, raises concerns about [REDACTED] application for retirement, as well as concerns regarding the employment by the agency of [REDACTED], who is a Customs Inspector at Highgate Springs, Vermont.

With respect to the concerns raised by [REDACTED] on [REDACTED] retirement application, the U.S. Customs Service transmitted documentation to the Office of Personnel Management on [REDACTED] application for an immediate annuity in July 1998. The Office of Personnel Management has the authority to rule on [REDACTED] application. It is our understanding that the Office of Personnel Management will be issuing a decision on the matter in the near future, and we believe counsel for [REDACTED] has already been in contact with the Office of Personnel Management in that regard.

[REDACTED] has also raised in [REDACTED] letters to you certain matters relating to [REDACTED], Customs Inspector [REDACTED]. As we are sure that you understand, the disclosure of information regarding individuals, such as employees of the U.S. Customs Service, is governed by the Privacy Act, 5 U.S.C. 552a. Pursuant to the Act, we are unable to disclose any information regarding [REDACTED] based upon a request from [REDACTED].

Please let me know whenever we may be of service.

Sincerely,

Elizabeth B. Anderson
Chief Counsel

United States Senate

WASHINGTON, DC 20510-2102

COMMITTEES
BANKING, HOUSING, AND
URBAN AFFAIRS
COMMERCE, SCIENCE,
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

AC OF
CO CPA

December 16, 1998

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

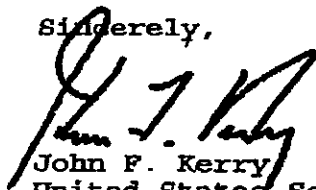
I am writing to you on behalf of my constituent, [REDACTED] who has contacted me regarding the difficulties [REDACTED] had when passing through with United States Customs upon leaving Canada. 16(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to my Staff Assistant, Joanna Garelick, of my Boston office.

I thank you for your assistance and cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/JLG
Enclosure



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

JAN 14 1999

DIS-2-01-FO P TJH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your December 16, 1998, letter concerning the difficulties your constituent, [REDACTED], is experiencing when clearing Customs. b(6)

The Treasury Enforcement Communications System (TECS) is a computerized list of names of known and suspected violators of Customs and related laws. The officers use TECS, along with other enforcement criteria, as a tool in determining which travelers may warrant more than normal scrutiny.

Please be advised that we have taken action regarding your request. Although no traveler can be guaranteed that he or she will never be asked to undergo another thorough inspection, [REDACTED] can expect to receive routine Customs processing in the future. b(6)

Please let us know if we can be of any further assistance.

Sincerely,

Robert S. Trotter
Robert S. Trotter
Assistant Commissioner
Office of Field Operations



DRE
cc: CPA

COMMITTEES
BANKING HOUSING AND
URBAN AFFAIRS
COMMERCE SCIENCE
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

November 16, 1998

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:


I am writing to you on behalf of my constituent, [REDACTED] b(6)
[REDACTED] of Rexam DSI, who has contacted me regarding the
tariff classification of Rexam's paper product, Skivertex.

It is the desire of this office to be responsive to all
inquiries and communications. I respectfully ask for your
assistance in resolving the issues outlined in this
correspondence.

Please forward a copy of your findings to my Staff
Assistant, Joanna Garelick, of my Boston office.

I thank you for your assistance and cooperation in this
matter.

Sincerely,


John F. Kerry
United States Senator

JFK/JLG
Enclosure

9804718



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

DEC 21 1998

RR CR.TE
962372 SG

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry

Thank you for your letter of November 16, 1998, on behalf of your constituent, [REDACTED], of REXAM DSI. [REDACTED] contacted your office regarding [REDACTED] request for reconsideration of the tariff classification of REXAM's product, Skivertex. You request our assistance in resolving the issues involved in [REDACTED] correspondence.

I have looked into this matter [REDACTED] request for reconsideration is under active review. A decision will be forthcoming shortly. As soon as the decision is issued, I will provide you with a copy.

If you have any additional questions on this or any other subject, do not hesitate to have a member of your staff contact us.

Sincerely,

Stuart P. Seidel
Assistant commissioner
Office of Regulations and Rulings





DEPARTMENT OF THE TREASURY

U. S. CUSTOMS SERVICE

JAN 22 1999

RR.CR·TE
962372 SG

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in further reference to your letter of November 16, 1998, on behalf of your constituent, [REDACTED], of REXAM DSI. [REDACTED] contacted your office regarding [REDACTED] request for reconsideration of the tariff classification of REXAM's product, Skivertex. You request our assistance in resolving the issues involved in [REDACTED] correspondence.

[REDACTED] request for reconsideration is still under active review. A decision will be forthcoming shortly. As soon as the decision is issued, I will provide you with a copy.

If you have any additional questions on this or any other subject, do not hesitate to have a member of your staff contact us.

Sincerely,

Stuart P. Seidel

Stuart P. Seidel
Assistant commissioner
Office of Regulations and Rulings

ALL
6(6)



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

FEB 12 1999

RR.CR TE
962372 SG

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry

This is in further reply to your letter of November 16, 1998, on behalf of your constituent, [REDACTED] of REXAM DSI. [REDACTED] contacted your office regarding [REDACTED] request for reconsideration of the tariff classification of certain jewelry boxes. You request our assistance in resolving the issues involved in [REDACTED] correspondence

By letter dated March 9, 1998, [REDACTED], Esq. from the law firm of Fitch, King and Caffentzis, counsel for REXAM DSI, requested reconsideration of the tariff classification under the Harmonized Tariff Schedule of the United States Annotated (HTSUSA) of a jewelry box, the subject of Customs Headquarters Ruling Letter (HQ) 960454, dated December 9, 1997. HQ 960454 was issued to Meadows Wye & Co., a Customs Broker acting on behalf of Fortunoff Jewelry & Silverware, Inc. REXAM DSI is the United States manufacturer of the material, "Skivertex", covering the jewelry boxes which were the subject of HQ 960454. By letter dated March 18, 1998, [REDACTED], Esq. currently with the law firm of Graham & James, also requested reconsideration of HQ 960454, on behalf of [REDACTED] client, Fortunoff Jewelry & Silverware, Inc. By letter dated March 30, 1998, [REDACTED] requested that REXAM DSI's application be consolidated with the appeal filed on behalf of Fortunoff Jewelry & Silverware, Inc.

HQ 960454 ruled on the classification of a molded plastic jewelry box covered on all sides, except its top, with plastic covered paper. The merchandise that is the subject of your constituent's request is essentially the same as that ruled on in HQ 960454.

The status of HQ 960454 is under active consideration. In HQ 960454, the jewelry box in issue was classified in subheading 4202.92.9060, HTSUSA, which provides for jewelry boxes with an outer surface of sheeting of plastic. The applicable duty at the 1999 general rate is 18.8 percent. Counsel for both Fortunoff and REXAM seek revocation of HQ 960454 on the basis that the outer surface of the jewelry box is coated paper, not plastic sheeting. Reclassification of the subject jewelry boxes is sought in subheading 4202.99 1000, HTSUSA, as a plastic jewelry box wholly or mainly covered with paper. The 1999 general rate of duty is 3.4 percent.



ALL
6/6

Attorneys on my staff have been working on the request for reconsideration extensively and have been in frequent contact with counsel for Fortunoff and for REXAM. Both are aware of the issues involved, and each has met with members of my staff to personally present their views.

A key issue in HQ 960454 is whether the latex coated paper which covers the jewelry box has an outer surface of plastic sheeting. The question of what is a plastic sheeting is currently pending before the United States Court of International Trade in the case entitled Same v. United States, Court No 97-06-00959S. Section 177.7(b), Customs Regulations (19 CFR 177.7(b)), precludes Customs from ruling on any issue pending before the Court of International Trade. That case concerns slightly different merchandise than that ruled on in HQ 960454. However, the issues in Same and those presented in the reconsideration of HQ 960454 are closely related. Therefore, in accordance with 19 CFR 177.7(b), we have not issued a ruling to either party and will not do so until it is determined that any such ruling will not affect the government's position in Same, which we believe to be legally correct. A final decision is expected shortly. Once that decision is made, a copy will be furnished to your office.

If you have any additional questions on this or any other subject, please do not hesitate to have a member of your staff contact me at (202) 927-0760. [REDACTED] of my staff may be also contacted at (202) 927-2380 with respect to this subject.

b(6)

Sincerely,



Stuart P. Seidel
Assistant Commissioner
Office of Regulations and Rulings

9802933

(AC) U.S. CP
CC CPA
COMMITTEES
BANKING HOUSING AND
URBAN AFFAIRS
COMMERCE SCIENCE
AND TRANSPORTATION
FOREIGN RELATIONS
INTELLIGENCE
SMALL BUSINESS

United States Senate

WASHINGTON DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

July 22, 1998

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

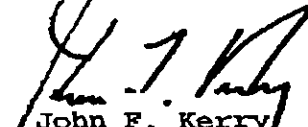
I am writing to you on behalf of my constituent, [REDACTED] 16(6), who has contacted me regarding [REDACTED] experiences while going through Customs in Boston, MA.

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to my Staff Assistant, Renita Attardi, of my Boston office.

I thank you for your assistance and cooperation in this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/rar
Enclosure



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

AUG 3 1998

INV-9-FO:P BH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

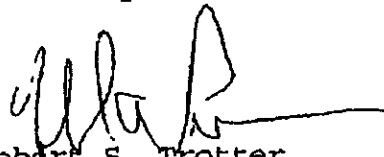
We have received your July 22, 1998, letter enclosing correspondence from [REDACTED] (transcribed for [REDACTED] by [REDACTED]) concerning [REDACTED] May 2, 1997, arrival from Israel at Boston's Logan Airport. AL 66

We certainly regret the unpleasantness and inconvenience [REDACTED] experienced on that occasion. However, our Boston Port Director has advised us that the incident in question did not involve Customs inspectors but officers of the U.S. Immigration and Naturalization Service (INS). It is INS that determines the admissibility of persons seeking to enter the United States. Although [REDACTED] refers to the officer whose conduct [REDACTED] found unacceptable as a "Customs official," [REDACTED] complaint actually involves [REDACTED] INS processing.

Consequently, we are forwarding your correspondence to INS Headquarters, 425 Eye Street, NW., Washington, D.C. 20536, for its consideration of [REDACTED] remarks.

In the meantime, please let us know if we may be of further assistance.

Sincerely,


FOR Robert S. Trotter
Assistant Commissioner
Office of Field Operations

"Please visit the U.S. Customs Web at <http://www.customs.ustreas.gov>"

United States Senate

WASHINGTON, DC 20510-2102

FEDERAL TRADE COMMISSION

JUN 17 11:03

CONGRESSIONAL COMMISSION

One Bowdoin Square

Tenth Floor

Boston, MA 02114

Telephone: (617) 565-8519

Facsimile: (617) 248-3870

June 3, 1998

Ms. Lorraine Miller
 Director, Office of Congressional Relations
 Federal Trade Commission
 Room 404
 6th Street and Pennsylvania Avenue, N.W.
 Washington, D.C. 20580

FEDERAL TRADE COMMISSION

JUN 23 1998

Dear Ms. Miller:

I am writing to you on behalf of my constituent, [REDACTED]
 [REDACTED] who has contacted me regarding importing Russian Vodka. 66

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to my Staff Assistant, Renita Attardi, of my Boston office.

I thank you for your assistance and cooperation in this matter.

Sincerely,


 John F. Kerry
 United States Senator

JFK/rar
 Enclosure

PLEASE RESPOND TO

☐ 421 RUSSELL SENATE OFFICE BUILDING
 WASHINGTON DC 20510
 (202) 224-2742

☐ ONE BOWDOIN SQUARE
 BOSTON MA 02114
 (617) 565-8519

☐ 222 MILLIKEN PLACE
 SUITE 311
 FALL RIVER MA 02722
 (508) 677-0522

☐ 145 STATE STREET
 SPRINGFIELD MA 01103
 (413) 735-4810

☐ 90 MADISON PLACE
 SUITE 205
 WORCESTER MA 0
 (508) 831-7330

email: john.kerry@kerry.senate.gov
 www: http://www.senate.gov/~jfk

PRINTED ON RECYCLED PAPER



DEPARTMENT OF THE TREASURY
U S CUSTOMS SERVICE

AUG 13 1998

FO.TC I.C AA

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of June 3, 1998, forwarding correspondence from your constituent, [REDACTED] of the U.S.-Russian Chamber of Commerce. [REDACTED] is seeking information concerning applicable regulations and procedures for importing vodka into the United States. 16(6)

I have enclosed a copy of the pamphlets "United States Import Requirements," and "District Rulings Program." Together, these documents provide an illustrative overview of the processes that affect the entry and release of imported merchandise, and other useful information for conducting business with the Customs Service. —

Any person or firm wishing to engage in the business of importing distilled spirits, wines, or malt beverages must first obtain an importer's basic permit from the Bureau of Alcohol, Tobacco, and Firearms (BATF), Department of the Treasury, Washington, D.C. 20226, telephone (202) 925-8110. That agency is responsible for administering the Federal Alcohol Administration Act.

Imported spirits in bottles and other containers are required to be packaged, marked, branded, and labeled in accordance with the regulations in 27 CFR Part 4, while each bottle, cask, or other immediate container must be marked for Customs purposes to indicate the country of origin of the beverage contained therein. Labels affixed to bottles of distilled spirits and wine must also

"Please visit the U.S. Customs Web at <http://www.customs.usdtreas.gov>"

be covered by certificates of label approval issued to the importer by the BATF. These certificates must be filed with Customs before the goods may be released for sale in the United States. In addition, the importation of alcoholic beverages is subject to specific requirements of the Food and Drug Administration.

Information on specific commodities, their applicable rates of duty, and possible eligibility for special treatment under the Harmonized Tariff Schedules of the United States can be obtained from an import specialist at the nearest Customs Service port. I would recommend that [REDACTED] contact the Port of Boston at (617) 565-6152, and ask to speak with an import specialist responsible for Chapter 22, with vodka being covered under heading 2208. b(6)

If you should have need of additional information regarding this matter, please have a member of your staff contact [REDACTED] at (202) 927-0318. b(6)

Sincerely,

Charles P. Bartolotta

for

Robert S. Trotter
Assistant Commissioner
Office of Field Operations

Enclosures

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone: (617) 565-8519
Facsimile: (617) 248-3870

March 16, 1998

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

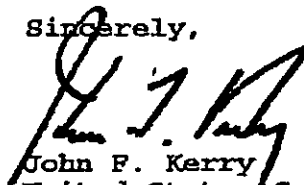
I am forwarding to you a copy of a letter from [REDACTED] concerning the unfair treatment [REDACTED] received from the U.S. Customs Officers at Logan Airport. 16(b)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to my Staff Assistant, Renita Attardi, of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/teh
Enclosure



DEPARTMENT OF THE TREASURY
U S CUSTOMS SERVICE

APR 8 1998

BAG-2-01-FOIP BH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your March 16, 1998, letter enclosing correspondence from [REDACTED] concerning the February 24, 1998, federal processing of [REDACTED] and [REDACTED] at Boston's Logan Airport.

We certainly regret the unpleasantness and inconvenience experienced by [REDACTED] and [REDACTED] on that occasion. However, it should be pointed out that all persons, unless exempt by diplomatic status, entering the United States are subject to as thorough an inspection as is warranted to ensure that the Customs and related laws are not being violated.

[REDACTED] objects to the seizure of [REDACTED] food items and to the penalty [REDACTED] was assessed for having failed to declare those items. However, the food items in question were seized and the penalty assessed not by a Customs officer but by a Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) inspector. Consequently, we are forwarding your correspondence to USDA-APHIS, 47 River Road, Riverdale, Maryland 20737, for its consideration of [REDACTED] remarks.

Our Boston Port Director advises us that a Customs officer was involved in an altercation that took place between [REDACTED] and the APHIS inspector. We wish to assure [REDACTED] that Customs officers are trained and supervised to treat all travelers with courtesy and tact. When we are able to substantiate that one of our employees has failed to maintain Customs strict professional standards, we take firm corrective action.

"Please visit the U.S. Customs Web at <http://www.customs.usstreas.gov>"

We are asking the Port Director to look into the circumstances of the Customs treatment afforded [REDACTED] and [REDACTED] during the February 24 incident. After we have reviewed the Port Director's findings, we will be back in touch with you. b(6)

In the meantime, please let us know if we may be of further assistance.

Sincerely,

for. Wayne R. Trotter
Robert S. Trotter
Assistant Commissioner
Office of Field Operations



DEPARTMENT OF THE TREASURY

U S. CUSTOMS SERVICE

APR 24 1998

BAG-2-01-FO.P BH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in further reply to your March 16, 1998, letter enclosing correspondence from [REDACTED] concerning the February 24, 1998, federal processing of [REDACTED] and [REDACTED] at Boston's Logan Airport.

We now have reviewed a report of an investigation conducted into this matter by our Boston Port Director. The Port Director points out that [REDACTED] difficulties, as we indicated in our April 8, 1998, reply to you, involved [REDACTED] disagreement with an officer of the Animal and Plant Health Inspection Service (APHIS) in connection with the seizure of [REDACTED] food items and the penalty [REDACTED] was assessed for having failed to declare those items.

As we also pointed out to you on April 8, we forwarded your correspondence to USDA-APHIS, 47 River Road, Riverdale, Maryland 20737, for its consideration of [REDACTED] remarks.

Our Boston Port Director further advises us that the Customs officer became involved in the altercation that took place between [REDACTED] and the APHIS inspector only as an attempt to diffuse the situation. The officer, who was wearing a Customs issued sweater with the required insignia and patches, was thoroughly professional in his conduct in the face of abusive language from [REDACTED].

Please let us know if we may be of further assistance.

Sincerely,

for Kevin P. Cummings
Robert S. Trotter
Assistant Commissioner
Office of Field Operations

"Please visit the U.S. Customs Web at <http://www.customs.usdreas.gov>"

10/19

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

January 9, 1998

Ms. Ora D. Starks
Congressional Inquiries
U.S. Department of the Treasury
Room 3457
1500 Pennsylvania Avenue, N.W.
Washington, D.C. 20220

Dear Ms. Starks:

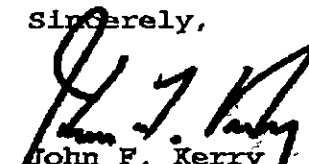
I am writing to you at the request of [REDACTED] is interested in a resolution of [REDACTED] sexual harrasment complaint. 16(6)

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter and sending me a copy of your findings and views to Carmen A. Velazquez in care of my office.

Thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/cav



DEPARTMENT OF THE TREASURY
WASHINGTON, D C

April 8, 1998

ASSISTANT SECRETARY

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Tenth Floor
Boston, Massachusetts 02114

Dear Senator Kerry

Thank you for your letter dated January 9, 1998, regarding your constituent, [REDACTED]. You asked to be advised of [REDACTED] allegations regarding discriminatory practices by the United States Customs Service. In his letter, [REDACTED] states that [REDACTED] has been harassed and discriminated against. [REDACTED] further states that [REDACTED] supervisor's actions are impacting [REDACTED] medically.

Our records show that [REDACTED] has filed a formal complaint of discrimination with our Chicago Regional Complaint Center on December 27, 1997. The Center will investigate [REDACTED] allegations, and will provide [REDACTED] an opportunity to present [REDACTED] case to an Administrative Judge from the Equal Employment Opportunity Commission (EEOC) who will issue a recommended decision on the matter, or [REDACTED] can elect a final agency decision without a hearing. [REDACTED] will also have the right to appeal any final agency decision to the EEOC or to file in district court. These procedures are in place to ensure that [REDACTED] is provided with an effective and impartial review of the matters [REDACTED] raises. Meanwhile, [REDACTED] should be assured that [REDACTED] like all Customs employees who use any one of the complaint and grievance processes, is free to raise such allegations without fear of reprisal.

I would like to take this opportunity to assure you that it is the policy of the Department to enforce its commitment to provide a workplace free of discrimination or harassment of any employee. Any improper interference with an employee's protected activity could subject the offending individual to appropriate discipline.

Thank you for your concern regarding this matter and bringing these issues to our attention. Please let me know whenever we may be of service.

Sincerely,

Signed

Linda Robertson
Assistant Secretary
(Legislative Affairs and Public Liaison)

ALL
b(6)

JOHN KERRY
MASSACHUSETTS

United States Senate
WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

January 5, 1998

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

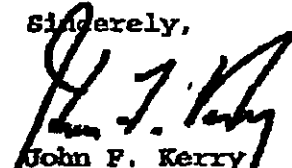
I am forwarding to you a copy of a letter from [REDACTED]
[REDACTED] concerning the \$122.36 duty that [REDACTED] paid. 16(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/msb



DEPARTMENT OF THE TREASURY
U S. CUSTOMS SERVICE

JAN 22 1998

FO:TC:C:C MM

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of January 5, 1998, enclosing
correspondence from your constituent [REDACTED].
[REDACTED] is concerned about the \$122.36 duty [REDACTED] paid.

16(6)

Currently, we are looking into the details of this case. Once a
full investigation has been made, a complete report will be sent
to your office.

We appreciate the opportunity to look into this matter.

Sincerely,

Annex K. Lombardi
for Robert S. Trotter
Assistant Commissioner
Office of Field Operations

"Please visit the U S Customs Web at <http://www.customs.us/treas.gov>"



DEPARTMENT OF THE TREASURY
U S CUSTOMS SERVICE

FEB 20 1998

FIS-3-03-FO:P BH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in further reply to your January 5, 1998, letter enclosing correspondence from [REDACTED] concerning the duty [REDACTED] recently was assessed on jewelry [REDACTED] had purchased in Mexico on the return of [REDACTED] cruise ship to Miami, Florida.

We now have reviewed a report concerning this matter from our Miami Seaport Area Port Director. The Port Director advises us that the Customs inspector who conducted [REDACTED] inspection determined that the jewelry [REDACTED] acquired in Mexico was not considered a product of Mexico.

To qualify as a duty-free product of Mexico, an item must not only be acquired in that country but must be produced in Mexico of domestic material. Most items of gold jewelry acquired in Mexico do not meet those criteria, as most of the settings and nearly all of the gemstones of those items are of non-Mexican origin.

We regret any inconvenience this misunderstanding may have caused [REDACTED]. [REDACTED] may wish to contact [REDACTED] cruise line concerning the possibly misleading information [REDACTED] was given concerning the duty-free status of Mexican jewelry.

Please let us know if we may be of further assistance.

Sincerely,

for Joseph B. O'Herman
Audrey Adams
Acting Assistant Commissioner
Office of Field Operations

"Please visit the U.S. Customs Web at <http://www.customs.ustreas.gov>"

AG
6(6)

JOHN KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

December 12, 1997

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning the replies of Customs to his complaints. 6(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



DEPARTMENT OF THE TREASURY
U S CUSTOMS SERVICE

BAG-2-01-FO.P BH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your December 12, 1997, letter enclosing correspondence from [REDACTED] in further reference to the October 28, 1997, Customs inspection of [REDACTED] and [REDACTED] at Boston's Logan Airport.

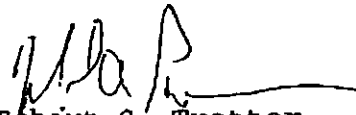
ALL
b(6)

We are sorry that [REDACTED] was dissatisfied with the November 12, 1997, reply from Logan's Chief Inspector, which we enclosed in our previous correspondence to you concerning Mr. and Mrs. [REDACTED] Customs processing. However, since [REDACTED] also expressed [REDACTED] concerns directly to the Chief Inspector, we are enclosing his December 19, 1997, reply to [REDACTED].

The Chief Inspector's reply explains Customs procedures in enforcing the Customs and related laws both for passengers who have items to declare and for passengers who claim to have nothing to declare to Customs. We hope that this clarification has served to resolve [REDACTED] concerns.

Please let us know if we may be of further assistance.

Sincerely,


Robert S. Trotter
Assistant Commissioner
Office of Field Operations

Enclosure

"Please visit the U S Customs Web at <http://www.customs.ustreas.gov>"



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
BOSTON, MASSACHUSETTS

December 19, 1997
BAG-2-OFO: RG

[REDACTED]
[REDACTED]
Boston, MA 02108

Dear [REDACTED]:

This is in response to your letter dated December 10, 1997 which resulted from correspondence between you and this office regarding the Customs processing of you and [REDACTED] on October 28, 1997 at Logan Airport

I did not intend to be condescending in responding to your original letter and am disappointed in your interpretation. You requested that I review the circumstances surrounding your customs inspection. The review resulted in the determination that the inspector acted appropriately and professionally. I can understand your feelings that the inspector may have exceeded limits by looking in your briefcase. As an individual who complies with the laws and regulations, you would certainly feel that there would be no need to verify your purchases. Unfortunately all travelers do not comply in a similar manner and the only effective way of determining if a traveler has fully declared all of his or her acquisitions is to match purchases against receipts.

On the main issue of your letter, concerning percentages of passengers stopped for inspection, you imply that the Customs Service has a policy of inspecting only those passengers who declare acquisitions. Customs has no such policy on either a national or a local basis. Daily inspections are conducted on passengers who fit in both categories with no preconceived percentage of passengers who must be inspected.

People's perception of how to smuggle merchandise into the United States differs greatly. Some individuals believe that if they claim they have nothing to declare they will not be stopped for an examination. Others believe that if they declare something, that declaration will influence the inspector to believe that they have fully declared their acquisitions. In both instances inspectors have seized undeclared or under declared merchandise from travelers. We have not seen an overwhelming percentage of either type of violator.

ALL
6(6)

Furthermore, the Customs Service currently has in place a national random inspection program, whereby passengers are randomly selected to participate in a passenger compliance examination as a means of measuring the effectiveness of its passenger processing procedures. Compliance measurements will allow the Customs Service to meet its requirements, under the Government Performance and Results Act of 1993, to report to Congress on the effectiveness of its programs

Once again, the U.S. Customs Service regrets that you and [REDACTED] feel that you were mistreated by our inspectional staff. We hope that this response will help further clarify our actions and addresses your concerns in this matter. Please feel free to contact myself or [REDACTED] Passenger Service Representative, at (617) 568-1810 if we can be of any further assistance.

Sincerely,

Matthew E. Farrell

Matthew E. Farrell
Chief Inspector

cc: Senator Edward M. Kennedy
Senator John F. Kerry
Congressman J. Joseph Moakley
Robert S. Trotter
Bernie Harris

16(6)

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

November 10, 1997

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning [REDACTED] request for a desk audit.

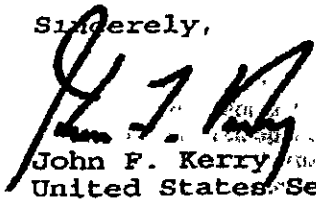
16(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,



John F. Kerry
United States Senator

JFK/msa

970 5062



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

DEC 4 1997

ADM-2-HRM:H

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your letter of November 10, 1997, on behalf of your constituent, [REDACTED]. [REDACTED] is requesting assistance in obtaining the results of [REDACTED] request for a desk audit.

In order to be fully responsive to this inquiry, we are currently reviewing and researching the matter. We will provide you with a more detailed reply as soon as possible.

Please be assured that [REDACTED] concerns will be reviewed and addressed in a fair and equitable manner.

Sincerely,


Deborah J. Spero
Assistant Commissioner
Human Resources Management

ALL
6(6)



DEPARTMENT OF THE TREASURY
U S CUSTOMS SERVICE

JAN 13 1998

ADM-2-HRM:H:OI: RC

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your letter dated November 10, 1997, on behalf of your constituent, [REDACTED], a Special Agent with the U.S. Customs Service. [REDACTED] requested a desk audit for [REDACTED] current position, and had contacted your office for assistance in obtaining the results.

The evaluation of [REDACTED] position has been completed. After careful review of the information submitted, we have concluded that [REDACTED] position is properly classified as a Criminal Investigator, GS-1811-12. We are in the process of notifying [REDACTED] of the results of [REDACTED] desk audit.

We are pleased to be of assistance in answering your constituent's concerns. If you continue to have any questions concerning the matters addressed here, please do not hesitate to have a member of your staff contact [REDACTED], Classification Specialist, at (202) 927-2144.

Sincerely,

Deborah J. Spero

Deborah J. Spero
Assistant Commissioner
Human Resources Management

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

November 3, 1997

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

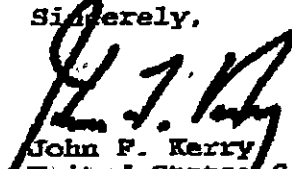
I am forwarding to you a copy of a letter from [REDACTED] 6(6)
[REDACTED] concerning Customs Officer 35701.

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

WASHINGTON, DC

NOV 20 1997

BAG-2-01-FO.P BE

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry

Thank you for your November 3, 1997, letter enclosing correspondence from [REDACTED] concerning the October 28, 1997, Customs inspection of [REDACTED] and [REDACTED] at Boston's Logan Airport.


We regret the unpleasantness and inconvenience [REDACTED] experienced on that occasion. We certainly apologize to them if they believe they were afforded anything less than professional, courteous Customs processing.

[REDACTED] also wrote directly to our Logan Airport office concerning this matter. We are, therefore, enclosing the November 12, 1997, reply to [REDACTED] from our Logan Airport Chief Inspector.

We hope that the Chief Inspector's reply has served to resolve [REDACTED] concerns regarding Customs processing procedures and that the future contacts of [REDACTED] with the U.S. Customs Service are more pleasant.

Please let us know if we may be of further assistance.

Sincerely,


Robert S. Trotter
Assistant Commissioner
Office of Field Operations

Enclosure

"Please visit the U.S. Customs Web at <http://www.customs.ustrans.gov>"



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
BOSTON, MASSACHUSETTS

November 12, 1997
BAG-2-OFO: RG

[REDACTED]
[REDACTED]
Boston, MA 02108

Dear [REDACTED]:

This is in response to your letter dated October 31, 1997 concerning your Customs processing at Logan Airport on October 28, 1997. In your correspondence, you expressed that you and [REDACTED] felt you were mistreated during your inspection.

We certainly regret the unpleasantness you experienced as a result of your Customs inspection. However, all travelers, except certain accredited diplomats, entering or leaving the United States are subject to a Customs inspection which can be as thorough as necessary to ensure compliance with Customs and related laws.

The only reasonable and reliable method of ensuring compliance with these laws and regulations is to conduct inspections of persons and baggage arriving or departing the United States. Congress clearly recognized this reality many years ago and, therefore, provided Customs inspectors with the authority to search all persons and baggage at the border or functional equivalent of the border (Title 19, United States Code, section 1582).

Based on your letter, we requested a complete investigation of the circumstances attendant to your Customs processing. From this review, we are satisfied that the inspector conducted his inspection in a professional manner. There were no facts uncovered which would support a conclusion that the inspector was discourteous or in any way abused the authority vested in them to enforce Customs and related agency statutes.

We realize that any Customs inspection conducted on a traveler is necessarily intrusive. The more intensive the inspection, the more intrusive the inspection. This is not pleasant for the passenger, nor for the inspector. It is unfortunate that it is sometimes necessary for the inspector to search wallets, purses and briefcases as in your case, but in instances where individuals choose not to declare merchandise, it is one of the most effective methods to locate receipts or other evidence of purchases made abroad. However, the mere fact that a person has been selected for

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6(6)

Customs examination should not be construed as an implication that a violation has been committed. In fact, the majority of the travelers whom we inspect are honest and respectable individuals, and they come from every type of social, economic and ethnic background.

We regret that you and [REDACTED] feel that you were treated discourteously by the inspector at Logan Airport. We would strongly suggest that you request to speak to a supervisor or Passenger Service Representative on site if you are ever dissatisfied with your inspection at any time in the future and we sincerely hope that your next contact with the U.S. Customs Service will be more pleasant.

Sincerely,

Matthew E. Farrell

Matthew E. Farrell
Chief Inspector

cc: Senator Edward M. Kennedy
Senator John F. Kerry
Congressman J. Joseph Moakley

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, Massachusetts 02114

Ms. Bonni Tischler
Special Agent in Charge
U. S. Customs Service/Room 5144
1301 Constitution Avenue, NW
Washington, DC 20229

October 22, 1997

Dear Ms. Tischler:

I am writing to you on behalf of [REDACTED], [REDACTED] company, Intercept Boats, and their exceptional boat, "Night Cat 27." While your organization is already familiar with this project, I feel compelled to bring the current status to your attention.

In early September of this year, the Office of National Drug Control Policy (ONDCP) funded a full scale evaluation of the "Night Cat 27", under the direction of the Naval Surface Warfare Center (NSWC), in St. Augustine, Florida. Subsequent testing was performed on October 1 at the NSWC facility at Fort Monroe, VA. I would like to share with you several reviews of these performances.

Waldemar J. Kropacek, Director, National Marine Support Center, Department of the Treasury, United States Customs Service. "Every vessel operator that drove the 27 foot Night Cat agreed that this vessel was the best small boat that they had ever ridden in. The Night Cat 27 is a vessel the U. S. Customs service should add to the fleet."

[REDACTED], SSA Boat Handler/Captain, Marine Coordinator, Houston Field Division, Drug Enforcement Agency. "I was briefed on Operation Night Breaker, (test of Night Cat 27) and believe in my humble opinion that it is the most exciting concept to be developed during this Administration. [REDACTED] has designed and developed what can only be described as a technological breakthrough. The Night Cat 27 outperformed, outmaneuvered, and flat outran all competition. And it did this with complete comfort, ease, and safety for the operator and crew.....Let us not let this project sit on the shelf."

[REDACTED], Caderock Division, Naval Surface Warfare Center. "Several personnel from various agencies were invited or asked to be invited to ride and in some cases operate the craft as time permitted between testing events. All of these personnel with no exceptions, indicated and some so stated in memos to their management that the Night Cat was a superior riding and handling craft when compared to any craft in the present inventory up to and including the 40' Fountains with Stidd seats. This is also the consensus of the Navy personnel who conducted the tests in St. Augustine and the Norfolk area."

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As you can see, [REDACTED] has designed and created a remarkable boat. [REDACTED] has dedicated all of [REDACTED] energy and resources to this project for nearly five years. I fully expect [REDACTED] boat to be successfully incorporated into our nation's fight to curtail the infusion of illegal drugs.

As [REDACTED] states in the letter I am enclosing, the recent tests revealed several areas in which [REDACTED] boat's performance might be improved. [REDACTED] personal resources will not enable [REDACTED] to address these issues. [REDACTED] is therefore requesting assistance from your agency to continue moving forward on this extremely important project.

I would greatly appreciate your taking a very serious look at [REDACTED] proposal. It appears to me that [REDACTED] is addressing what is the next logical step in this process. I believe you will agree that we must not, "let this project sit on the shelf."

Thank you for your attention to this matter. Please feel free to contact Christopher Wyman, in my Boston office, for any assistance your might need.

Sincerely,

John F. Kerry
United States Senator

ALL
6(6)



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

DEC 24 1997

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your letter dated October 22, 1997, on behalf of [REDACTED] and Intercept Boats Night Cat 27. As you acknowledged, the U.S. Customs Service has been actively participating in the testing and evaluation of [REDACTED] Night Cat 27 and finds the vessel to be exceptional in its class. | b(6)

Customs Office of Investigations is fully dedicated to pursuing technologically superior resources in its effort to combat drug smuggling into the United States.

We would like to thank you for your interest and support in advancing our charge through continuing drug interdiction initiatives.

Sincerely,

R. Jeffrey Casey

Richard J. Hoglund
Acting Assistant Commissioner
Office of Investigations

United States Senate

WASHINGTON DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

October 15, 1997

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

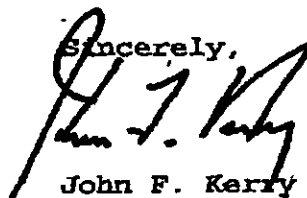
Dear Ms. Bryant:

I am writing to you about a constituent of mine, [REDACTED], whose primary residence is in Arlington, Massachusetts. [REDACTED] is an employee of the U.S. Customs Service in Newark, New Jersey who is currently participating in the Women's Executive Leadership Program.

[REDACTED] has applied for a medical hardship transfer to the Boston office in order to care for [REDACTED]. A review of [REDACTED] records indicates that [REDACTED] is an outstanding, accomplished employee who has been a loyal, longtime member of the Customs Service.

Please contact Bonnie Cronin of my Boston staff if you wish further information.

Sincerely,



John F. Kerry
United States Senator

JFK/bkc

970461



DEPARTMENT OF THE TREASURY

U S CUSTOMS SERVICE

NOV 4 1997

PER 5 06 OI.AD:HRB DML

The Honorable John Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your letter dated October 15, 1997, in reference to your constituent, [REDACTED]. We are aware of [REDACTED] circumstances regarding [REDACTED].

[REDACTED] applied for reassignment consideration through the Hardship Review Board (HRB) earlier this year. This board was established within the Office of Investigations to assist with personal problems which are outside an employee's ability to resolve themselves. Although the members of the HRB were sympathetic to the problems facing [REDACTED], they advised [REDACTED] that a transfer based on the circumstances was not warranted. This determination was based on the fact that [REDACTED] resides in a major metropolitan area, Newark, New Jersey, where major medical facilities are available to provide the necessary care and services needed by [REDACTED].

We are sorry that our response could not be more favorable; however, please be assured that [REDACTED] case was given full consideration by the HRB and that [REDACTED] was fully appraised of the HRB findings.

Thank you for your interest on behalf of [REDACTED].

Sincerely,

Bonni G. Tischler
Assistant Commissioner
Office of Investigations

08/12/97 TUE 12:32 FAX 16172483870

KERRY BOSTON

0001

OFFICE
OF THE
CPA

K227C1

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114

DATE: 8/12/97

PLEASE DELIVER THIS FAX TO: Glen B. ...

FROM:

OFFICE OF SENATOR JOHN F. KERRY

PAGES (EXCLUDING THIS COVER): 1

COMMENTS:

If there is any problem with the transmission of this fax, please
contact me at (617) 585-1515.

Thank you



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

WASHINGTON, D.C.

SEP 4 1997

FOI TC 81A POB

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your letter of August 12, 1997, to
Ms. Gloria Bryant, Director, Office of Congressional Affairs,
enclosing a copy of a letter and additional information from your
counsel, [REDACTED] Attorney [REDACTED].
Your counsel, [REDACTED] is seeking a delay in the initiation
of formal administrative forfeiture proceedings to prepare a
supplemental submission to overturn the decision. (See page
Number 96-4701-02-99)

On August 10, 1997, the Director, Pines, [REDACTED] [REDACTED] [REDACTED]
Office for the John F. Kennedy (JFK) International Airway
approved an additional 30-day extension for [REDACTED] beginning
on April 4, 1996. There has been a tradition of requests for
extensions concerning this seizure. With one exception, dated
July 22, 1997, and all but one was approved. It is assured
that we give serious consideration to all requests for extensions
that we receive.

Please let me know if we can be of further assistance.

Sincerely,

Robert S. [REDACTED]

Asst. Sec. Comm. of [REDACTED]
Office of Pre-Operations

JOHN KERRY
SENATOR

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

August 7, 1997

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1101 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning U.S. Customs in Vancouver. b(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Starnesman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,

John F. Kerry
United States Senator



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

WASHINGTON, D.C.

MAN-1-FO:P BH

AUG 25 1997

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your August 7, 1997, letter enclosing correspondence from [redacted] concerning the July 30, 1997 delay [redacted] and [redacted] experienced awaiting Customs and Immigration processing at our preclearance location at the Vancouver, Canada Airport.

We certainly regret any inconvenience [redacted] and [redacted] and other Vancouver passengers traveling to the United States experienced on that occasion. We wish to assure [redacted] that Customs port directors and officers-in-charge (OICs) at our preclearance locations are charged with assigning their inspectional personnel according to the anticipated number of passengers to be processed during the various hours of the day.

Consequently, we are asking our Vancouver OIC to look into the July 30 delay described by [redacted]. After we have reviewed the OIC's findings, we will be back in touch with you.

In the meantime, please let us know if we may be of further assistance.

Sincerely,


Robert S. Trotter
Assistant Commissioner
Office of Field Operations

ALL
6(b)



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
WASHINGTON, DC

SEP 10 1997

MAN-1-FO:P BH

The Honorable John P. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in further reply to your August 7, 1997, letter enclosing correspondence from [REDACTED] concerning the July 30, 1997, delay [REDACTED] and [REDACTED] experienced at our preclearance facility in the Vancouver, Canada Airport.

Our Officer-in-Charge (OIC) at Vancouver has advised us that the delay described by [REDACTED] consisted of travelers awaiting U.S. Immigration and Naturalization Service (INS) processing rather than U.S. Customs Service inspection. [REDACTED] also points out that his current inspectional staffing is adequate and that there have been no recent delays at Vancouver to passengers awaiting U.S. Customs processing.

Consequently, we are forwarding your correspondence to INS Headquarters, 25 E. Street, NW, Washington, D.C. 20535, for its consideration of [REDACTED] request.

In the meantime, please let us know if we may be of further assistance.

Sincerely,

[Signature]
Robert S. Trotter
Assistant Commissioner
Office of Field Operations

05/2/97 MON 11:38 FAX 16172483870

KERRY BOSTON

JOHN KERRY
MA042-018779

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

May 12, 1997

Ms. Gloria Bryant
Director, Office of Congressional Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning a recent Customs letter, which I am also faxing for your reference. b6

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/msa

- 2 -

Thank you for your interest and concern in this matter. Please let me know whenever we may be of assistance in the future.

Sincerely

Anne K. Lombardi
for Audrey Adams
Acting Assistant Commissioner
Office of Field Operations

JOHN KERRY
MARK ACQUINETTE

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

February 12, 1997

Ms. Gloria Bryant
Congressional & Public Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning [REDACTED] applications to work at the U.S. Customs Service. I would appreciate an update on the status of [REDACTED] application(s).

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
WASHINGTON, D.C.

MAR 3 1997

ADM-2-HRM:H:SSC RDW

Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your letter dated February 12, 1997, on behalf of your constituent, [REDACTED], concerning the status of [REDACTED] application for a Customs Inspector position in the Boston, Massachusetts area.

The Notice of Rating provided by [REDACTED] was issued by the Office of Personnel Management (OPM) as a result of [REDACTED] application to an announcement issued by that office. When vacancies occur, agencies have the option of requesting a list of eligible candidates from OPM or recruiting through other available avenues. At the present time, the Boston office has not requested OPM to provide a Certificate of Eligibles.

The announcement to which [REDACTED] referred (NADLA-97/005RDW) was one of several recruitment methods utilized by Customs. The announcement closed on February 5, 1997, and a review of our records indicates that [REDACTED] did not apply to this announcement.

In an effort to assist [REDACTED] in seeking employment with our agency, on February 19, 1997, [REDACTED] was contacted by the servicing personnel management specialist for the Boston area, [REDACTED]. [REDACTED] discussed various staffing options and recruitment procedures with [REDACTED]. In addition, [REDACTED] provided information on other current recruitment opportunities to which [REDACTED] could apply. Our new job information hotline number, Pathfinder Job Express, was also provided to [REDACTED].

We hope this information will be helpful in assisting [REDACTED] in his efforts to seek employment. Your interest in the U.S. Customs Service on behalf of [REDACTED] is appreciated.

Sincerely,

Deborah J. Spore

Deborah J. Spore
Assistant Commissioner
Human Resources Management

All
6(b)

JOHN KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
Telephone 617-565-8519
Facsimile 617-248-3870

December 16, 1996

Gloria Bryant
Director of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury - Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

I write to seek information regarding a recent Customs Service solicitation for procurement.

As I understand it, Requisition # 96-00633 was issued recently to facilitate the purchase of catamaran-intercept boats for use by marine enforcement officers of the Customs Service.

At least one of my Massachusetts constituents has responded to this solicitation, which is of great interest to our marine engineering community.

I would appreciate a response from the Customs Service regarding the anticipated date of decision for Requisition # 96-00633. Also, inasmuch as it appears that the requisition will bring forward proposals based on prototype designs, I would appreciate information regarding the criterion for evaluation of the responses, and whether the Customs Service is prepared to procure prototype vessels based on their development costs.

Thank you very much for your consideration.

Sincerely,


John F. Kerry
United States Senator

JK/ich

K218 A1

CFO
CPA



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

JAN 13 1997

FAC 08-OF PD:CO AM

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of December 16, 1996, in which you inquired regarding the U.S. Customs procurement of Catamaran Intercept Vessels. In response to your request for the date of decision, the anticipated contract award date is early August 1997. The evaluation criteria which you also request, was published in our Request for Proposals CS-96-042 and is enclosed with this letter. In response to your final question, the Customs Service does not expect to procure prototype vessels.

If you have any questions or need additional information, please feel free to have a member of your staff contact Mr. Allen Marcus of the Customs Procurement Division on (202) 927-1126.

Sincerely,

Vinette L. Goerl
Vinette L. Goerl
Assistant Commissioner
Office of Finance

Enclosure

JOHN KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

July 19, 1996

Ms. Gloria Bryant
Congressional & Public Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2270
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning questions that [REDACTED] has concerning Customs. I am also forwarding a copy of his letter to the FAS to address some of [REDACTED] other concerns. (b)(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

UFG:ms



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

AUG 5 1996

AIR-1-FO P BH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your July 19, 1996, letter enclosing correspondence from [REDACTED] requesting information relating to [REDACTED] planned flights by private aircraft to and from the U.S. Virgin Islands.

ALL
b(6)

First, it should be pointed out that the U.S. Virgin Islands, although a United States territory, is not part of the Customs Territory of the United States. Pursuant to the Tariff Act of 1930, as amended, the Customs Territory of the United States includes only the 50 states, Washington, D.C., and Puerto Rico.

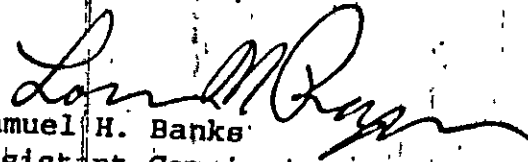
Consequently, [REDACTED] aircraft will undergo Customs processing on arriving in the U.S. Virgin Islands or in entering either Puerto Rico or any of the 50 states from the U.S. Virgin Islands. If [REDACTED] aircraft departs Florida and refuels in Puerto Rico, en route to the U.S. Virgin Islands, it will not undergo Customs processing in Puerto Rico.

In clearing Customs, whether in the 50 states or in the U.S. Virgin Islands, with [REDACTED] dog, [REDACTED] should ensure that a valid rabies vaccination certificate accompanies the dog. If the dog appears to be free of disease communicable to human beings, the dog will not be quarantined.

If [REDACTED] has further questions concerning entering or departing from the U.S. Virgin Islands, he may wish to contact our Cruz Bay, U.S. Virgin Islands, office at (809) 776-6741.

We hope that this information is helpful to [REDACTED]. Please let us know if we may be of further assistance. 6/6.

Sincerely,



FOL

Samuel H. Banks
Assistant Commissioner
Office of Field Operations

JOHN KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

July 15, 1996

Ms. Gloria Bryant
Congressional & Public Affairs
U.S. Customs Service
1101 Constitution Avenue, N.W.
Room 2210
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning his request for an explanation of additional duties that affect U.S.-Canadian trade. b-6

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mes



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

WASHINGTON, D.C.

JUL 25 1996

FO:TA AD

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of July 15, 1996, on behalf of your constituent [REDACTED] questions and concerns involve the assessment of duties by Revenue Canada on merchandise repaired by [REDACTED] company and returned to [REDACTED] customers in Canada. [REDACTED] questions why the North American Free Trade Agreement (NAFTA) has not eliminated these duties.

The NAFTA does provide for duty-free treatment on costs of repair and alteration of merchandise in a NAFTA country regardless of the origin of the goods, and regardless of whether the goods could have been repaired or altered in the exporting country. There are specific reporting procedures required by each NAFTA country for these importations. [REDACTED] letter pertains to the assessment of Canadian duties with a general explanation of the circumstances, therefore, we would recommend [REDACTED] refer [REDACTED] Canadian customers to Revenue Canada for information relating to their own exportation and reimportation requirements. We have enclosed a booklet, NAFTA, the North American Free Trade Agreement, A Guide to Customs Procedures, to be included with your reply to [REDACTED]. The booklet contains general information on NAFTA procedures including details on the repair and alteration provisions and points of contact for additional assistance in each NAFTA country that [REDACTED] may wish to pass on to [REDACTED] Canadian customers.

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6(6)

If we may be of further assistance, please contact [REDACTED] b(6)
[REDACTED] Trade Agreements Division at (202) 927-1082.

Sincerely, "

Joyce Metzger
for Samuel H. Banks
Assistant Commissioner
Office of Field Operations

Enclosure

JOHN KERRY
1488BATHUSETTS

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8319

June 21, 1996

Ms. Gloria Bryant
Congressional & Public Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2018
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning whether and why [REDACTED] must make a "[p]ayment of a mitigated amount of \$3,300". 16(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss

JOHN F. KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

June 3, 1996

Ms. Gloria Bryant
Congressional & Public Affairs
U.S. Customs Service
1301 Constitution Avenue, N.W.
Room 2250
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning the fact that Customs is holding [REDACTED] car. 16(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Steinhilber of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,

John F. Kerry
United States Senator



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

WASHINGTON, D C

JUN 19 1996

FO:TC PC

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter dated June 3, 1996, to Ms. Gloria Bryant, Office of Congressional & Public Affairs, enclosing a copy of a letter from your constituent, [REDACTED]. You request that we investigate this matter and respond to you. This case is being reviewed by the Seizures & Penalties Branch of Customs Trade Compliance Division. When I am apprised of the results, I will forward the information to you.

6(6)

Please let me know if we can be of further assistance.

Sincerely,

Anne M. Lombardi

cc Samuel H. Banks
Assistant Commissioner
Office of Field Operations



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

WASHINGTON, D.C.

JUL 3 1996

FO:TC:S:F CH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in reply to your letter of June 3, 1996, on behalf of your constituent [REDACTED], concerning the seizure of [REDACTED] automobile.

According to information available to the Customs Service, [REDACTED] vehicle was seized by the Immigration and Naturalization Service (INS). We are, therefore, forwarding your letter to the Immigration and Naturalization Service, Office of the Executive Secretariat, 425 I Street, N.W. Room 7113, Washington, D.C. 20536. The INS will respond directly to you.

Sincerely,

Amone K. Lombardi

Samuel H. Banks
Assistant Commissioner
Office of Field Operations

Equal Opportunity Employer

Alt
b(6)

JOHN F. KERRY
MASSACHUSETTS

52031

United States Senate

WASHINGTON, DC 20540-2147

One Freedom Square
Fourth Floor
Boston, MA 02124-2049
(617) 555-8319
April 13, 1994

William G. Lawrence, Director
Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
Room 2109
1301 Constitution Avenue, N.W.
Washington, D.C. 20225

RE: City of Salem, Massachusetts
Police Department Headquarters
Salem, MA 01970

Dear Mr. Lawrence:

I am forwarding you a letter from [redacted], Chief of Police, Salem, MA, regarding [redacted] problem with your agency. 16(6)

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter and sending me a copy of your findings and views, in duplicate form, to the attention of my assistant, Jim Sharr, in care of my Boston office.

Thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK:js
Enclosure

CH 226910



DEPARTMENT OF THE TREASURY
U S CUSTOMS SERVICE
WASHINGTON, D C

MAR 28 1996

FO TC: S F POB

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your letter of March 13, 1996, to [REDACTED], former Director for the Office of Congressional Affairs, United States Customs Service. Your constituent, [REDACTED], Chief of Police, Salem, Massachusetts, alleges that he has a problem with Customs, regarding his request for a seized and forfeited vessel. You ask that we investigate this matter and forward our findings and views, in duplicate, to you.

Customs policy on transfer of forfeited assets is mandated by statute. Currently, the only authority the Customs Service has for transferring forfeited property is stated in section 1616a, Title 19, United States Code. This section authorizes Customs to transfer forfeited property to state or local law enforcement agencies that participated directly or indirectly in the seizure or forfeiture of that property. Absent such participation, there is no provision for transferring forfeited assets to such state or local agency.

In correspondence dated March 15, 1996, (copy enclosed) we provided your constituent with the address to the Executive Office for Asset Forfeiture. This office is responsible for the Department of Treasury's program, "Guide to Equitable Sharing for Foreign Countries and Federal, State, Local Law Enforcement Agencies." Chief, [REDACTED] organization may be eligible to participate in.

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We greatly appreciate the efforts made by the Salem Harbormaster in conjunction with the police department, and its efforts in the war on drugs. We regret that, due to the statutory limitation noted above, we are unable to provide a vessel to assist in these efforts.

If we can be of further assistance to you or the Salem Harbormaster Department, please contact [REDACTED], Seizures and Penalties Program at (702) 927-0410.

6(6)

Sincerely,

Arme K. Lombardi

for Samuel H. Banks
Assistant Commissioner
Office of Field Operations

Enclosure

CFO
cc C/A

United States Senate

WASHINGTON, DC 20510

K208 C1

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
January 11, 1996

William G. Lawrence
Director, Office of Congressional Affairs
U.S. Customs Service
Room 2109
1301 Constitution Avenue, N.W.
Washington, DC 20229

RE: [REDACTED] President
Apple Medical Corporation
580 Main Street
Bolton, MA 01740

b(6)

Dear Mr. Lawrence:

I am forwarding to you a letter from [REDACTED] of Bolton, MA, concerning his problem with your agency.

b(6)

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter and sending me a copy of your findings and views, in duplicate form, to the attention of my assistant, Jim Shaer, in care of my Boston, Massachusetts office.

I would also appreciate your office confirming receipt of the enclosed to Jim at the above listed telephone number.

Thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JKF:js
Enclosure



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

JAN 29 1996

BAG-2-01-FO:P BH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your January 11, 1996, letter enclosing correspondence from [REDACTED] concerning [REDACTED] recent Customs inspection at Dulles International Airport.

We regret the unpleasantness and inconvenience experienced by [REDACTED] on that occasion. All persons, unless exempt by diplomatic status, entering the United States are subject to as thorough an inspection as is warranted to ensure that the Customs and related laws are not being violated.

Whether a Customs inspection is brief or thorough, we insist that it be conducted with courtesy and tact. When we can substantiate that one of our employees has failed to maintain Customs strict professional standards, we take firm corrective action.

[REDACTED], however, does not describe the Customs officers as being rude or unprofessional. Rather, [REDACTED] complaint is that [REDACTED] should not have undergone a thorough baggage examination based upon [REDACTED] position as a respected member of the business community.

It should be pointed out that Customs officers use many tested enforcement criteria to determine whether a traveler warrants a thorough inspection. These include the traveler's itinerary, his written and oral declarations, and any markedly evasive or nervous behavior in responding to routine Customs questions.

Customs officers also occasionally use a random system of selecting travelers for more than routine Customs scrutiny. The random system, by which [REDACTED] was selected for inspection, is utilized for two basic reasons. First, there simply is no foolproof profile of violators of the law. By randomly targeting a few travelers for thorough inspections, we make many seizures of prohibited, restricted, or undeclared merchandise that may have been missed by our use of the usual enforcement criteria. The second advantage of an occasional random examination is that it enables us to determine the effectiveness of our enforcement criteria generated examinations. We are able to compare the results of those examinations vis-a-vis random searches.

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ALL
6(6)

██████████ remarks that the Customs officer should not have asked ██████████ how much money he was carrying since he already had indicated on his written declaration that he was carrying less than \$10,000 (amounts in excess of \$10,000 must be reported to Customs). However, we often make seizures of undeclared currency from travelers who, as in ██████████ case, indicate in writing that they are carrying less than that amount. In replying orally to the currency question, many travelers provide clues, often through body language, that their written declarations were false.


We contacted our Dulles office and were advised that Customs Dulles Passenger Service Representative, ██████████, had telephoned ██████████ regarding ██████████ complaint since ██████████ also wrote to that office. Unfortunately, ██████████ apparently was unable to resolve ██████████ concerns about having been requested to undergo a Customs baggage examination.

Respected members of the business community generally are not considered as high-risk suspects for violations of the law. Nevertheless, they certainly are not immune from the possibility of such violations. Were the Customs Service automatically to exempt business leaders from thorough inspections, we would seriously compromise our important enforcement responsibilities.

We regret ██████████ continued dissatisfaction with his Customs treatment. ██████████ letter has, however, served to remind our Dulles staff that international travelers are valued customers without whose support our effectiveness as an enforcement agency would be significantly diminished. We appreciate the opportunity to address ██████████ concerns, and we hope that ██████████ future contacts with the Customs Service are much more to ██████████ satisfaction.

Please let us know if we can be of further assistance.

Sincerely,


Samuel H. Banks
Assistant Commissioner
Office of Field Operations

Enclosure

1/13/95 MON 10:52 FAX 10172463870

KERRY BOSTON

002

DHN KERRY
ABBACHUSETTS

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-0519

November 13, 1995

Ms. Gloria Bryant
Congressional & Public Affairs
U.S. Customs Service
1301 Constitution Avenue
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning a shipment impounded by Customs. b(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

WASHINGTON, DC

DEC 6 1995

FO:TC:S:F PR

The Honorable John Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of November 13, 1995, enclosing correspondence from your constituent, [REDACTED], concerning the delay in Customs clearing [REDACTED] shipment of computer equipment because of a paperwork problem.

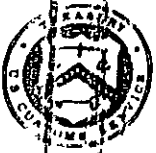
This matter is currently under review by our Cargo Control office. You will be provided with a full response as soon as that office completes its review. In the interim, if you have any additional questions or need further assistance, please contact [REDACTED], Cargo Control, at (202) 927-0042.

We appreciate your concern in this matter.

Sincerely,

for Samuel H. Banks
Samuel H. Banks
Assistant Commissioner
Office of Field Operations

All
6(6)



DEPARTMENT OF THE TREASURY
U S CUSTOMS SERVICE

DEC 28 1995

FO-TC:C:C LS

The Honorable John Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

As promised in my correspondence of December 6, 1995, this is a full response to a letter you received from your constituent [redacted] [redacted] had voiced concerns over the actions taken by the U.S. Customs Service at the Lewiston Bridge near Buffalo, New York, regarding a shipment for Cadence Design Systems, Inc. 4(6)

After conferring directly with field managers in Buffalo, I am pleased to advise you that the shipment which re-entered the United States on November 9, 1995, was finally released on November 16, 1995. However, it was not a Customs decision to detain the merchandise. The delay centered around the U.S. Customs broker (an agent employed by the importer) not having the proper paperwork necessary to make entry. The manager of the brokerage firm decided to hold on to the merchandise because of questionable country of origin of the computers, high value, and Food and Drug Administration requirements (paperwork) for the monitors.

To ensure that future shipments are not delayed, it is recommended that prior to exiting the United States for Canada the Cadence representatives stop at U.S. Customs and register the merchandise on Customs Form 4455. It is also recommended that the company make prior arrangements with their selected U.S. Customs broker prior to exporting similar equipment to Canada for demonstration purposes. This will ensure that the proper paperwork is presented at the time of re-entry into the United States.

Thank you for bringing this matter to my attention. I hope that this response adequately addresses the issue raised by your constituent. Do not hesitate to contact me if I may be of further assistance.

Sincerely,

Thomas P. Banks

for

Samuel H. Banks
Assistant Commissioner
Office of Field Operations

cc: Port Director
Buffalo, New York

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

October 11, 1995

Ms. Gloria Bryant
Congressional & Public Affairs
U.S. Customs Service
1301 Constitution Avenue
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning customs service case #851-3622586-1/330100-0/3640907. b(6)

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

Please forward a copy of your findings to Mark S. Sternman of my Boston office.

I thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK/npb

DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

OCT 23 1995

CLA-2 R:C:M
958557 MMCThe Honorable John F. Kerry
United States Senate
Washington D.C. 20515

Dear Senator Kerry:

This is in response to your letter of October 11, 1995, enclosing a copy of a letter dated October 10, 1995, from your constituent, [REDACTED], president and owner of Chelsea Bottle Company, concerning the tariff classification of certain glass articles under the Harmonized Tariff Schedule of the United States. (b)(6)

As a member of my staff advised Mark Sternman of your Boston office, to address the concerns of your constituent, we need additional information from [REDACTED] concerning what he imported and the ports of entry involved. Once we have received and reviewed the information, we will obtain a report from the port and forward a response to you as quickly as possible. (b)(6)

Thank you for your interest in this matter. If you have any additional questions or concerns, please feel free to contact us.

Sincerely,


Robert P. Seidel
Assistant Commissioner
Office of Regulations and Rulingscc: Mark S. Sternman
One Bowdoin Square
Tenth Floor
Boston, MA 02114



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

NOV 27 1995

RR:TC:MM
098557 MMC

The Honorable John E. Kerry
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in further reference to your letter of October 11, 1995, enclosing a copy of a letter dated October 10, 1995, from your constituent, [REDACTED] of Chelsea Bottle Company, concerning the tariff classification of certain glass articles under the Harmonized Tariff Schedule of the United States (HTSUS). b(6)

As stated in our letter to you on October 23, 1995, to address the concerns of your constituent, we requested information concerning this matter from the Highgate Springs/St. Albans, Vermont, Customs Office. The port director has informed us that upon receiving the questioned entries, his Commodity Specialist Team requested samples by name (Paila, Cup, ca, Siphon, and Ballone). Upon receipt of the samples, classification advice was requested from the Customs National Commodity Specialist (NCS) for glassware in New York.

The NCS determined that the issue was whether the subject glassware, which is imported empty and sold to others for use, is classifiable under heading 7010, HTSUS, which provides for glassware of a kind principally used for the conveyance or packing of goods, or under heading 7013, HTSUS, which provides for glassware of a kind used for table, kitchen, toilet, office or indoor decoration, or similar purposes. For a glass container to be classifiable under heading 7010, it must be part of the exchange of buying and selling of commodities and it must be used to convey a product to a consumer who uses the product and then discards the container.

The NCS informed the port that while this particular importer sells these articles to a packer of maple syrup, in the U.S. this type of glassware as a whole is principally used for table, kitchen, or home use.

While the glass jars may have been designed to attract the attention of the consumer to the maple syrup, that is not the principal function of this jar. The glass lids, rubber gasket, and wire bale indicate that these jars are designed for extended use. They are of a kind that the consumer can reuse in the home. As stated in the June 1993 article from Packaging Digest, furnished by [REDACTED] "...he calls them 'reusable' glass because they're very similar to what many people buy empty for decorative purposes. That's why he's confident these bottles are rarely discarded after the contents have been consumed..." Because this type of glassware is principally used for table, kitchen or home use, it was classified under heading 7013.

We have thoroughly reviewed this matter and agree with the conclusions of the local Customs officials in Highgate Springs/St. Albans and the NCS in New York. The Customs Service has consistently classified such glassware in heading 7013.

Thank you for your interest in this matter. If you have any additional questions or concerns, please feel free to contact us.

Sincerely,

Stuart P. Seidel

Stuart P. Seidel
Assistant Commissioner
Office of Regulations and Rulings

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

September 26, 1995

Ms. Gloria Bryant
Congressional & Public Affairs
U.S. Customs Service
1301 Constitution Avenue
Washington, D.C. 20229

Dear Ms. Bryant:

I am forwarding to you a copy of a letter from [REDACTED] concerning compensation for tariff misclassification of [REDACTED] 61

It is the desire of this office to be responsive to all inquiries and communications. I respectfully ask for your assistance in resolving the issues outlined in this correspondence.

If compensation for [REDACTED] losses cannot be made, I would like to arrange for a meeting with the Customs OGC to find out the agency's policy on these matters and the legal basis for this policy. Please respond by contacting Mark S. Sternman of my Boston staff. 61

I thank you for your cooperation.

Sincerely,


John F. Kerry
United States Senator

JFK/mss



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

OCT 5 1995

CLA-2 CO:R:C:T
938476 CMR

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Tenth Floor
Boston, Massachusetts 02114

Dear Senator Kerry:

All
6(6)

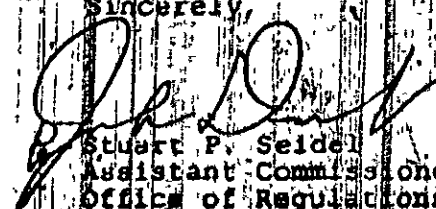
Thank you for your correspondence of September 26, 1995, on behalf of [REDACTED], concerning the tariff classification and duty rate of wool gaberdine ski pants.

We regret we cannot offer assistance to [REDACTED] to recover the Customs duties which [REDACTED] paid on wool ski pants imported during the period following the inception of the Harmonized Tariff Schedule of the United States through 1994. The duties charged were correctly assessed in accordance with the provisions of the tariff schedule. As you are aware, while the Customs Service administers the tariffs we have no authority to refund duties in cases such as this where an amendment to the tariff schedule results in a change in the dutiable status of imported merchandise.

In our phone conversation with Mark Sternman of your staff, we advised him that legislative action provides the only possible means of providing the financial relief which [REDACTED] seeks.

We appreciate your interest in this matter. Please do not hesitate to contact us if you have any further questions.

Sincerely,



Stuart P. Seidel
Assistant Commissioner
Office of Regulations & Rulings

JOHN KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
August 24, 1995

Mr. William G. Lawrence, Director
Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
Room 2109 1301 Constitution Ave. N.W.
Washington, DC 20229

RE:

[REDACTED]
Lo Jolla, CA 92037
Customs Case No. 44-0417-00312

16(6)

6(2)

Dear Mr. Lawrence:

I am forwarding to you a letter from [REDACTED] regarding [REDACTED] of Lo Jolla, California regarding [REDACTED] case with your agency.

16(6)

Because of my desire to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter and sending me a copy of your findings and views to the attention of my assistant, Jim Shafer, in care of my Boston office.

Thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

gfk js:cg
Enclosure

JOHN KERRY
MASSACHUSETTS

K203 C1

OFO
cc CPA

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
September 7, 1995

Mr. William G. Lawrence, Director
Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1301 Constitution Avenue, N.W. - Room 2109
Washington, DC 20229

RE: [REDACTED]

Lo Jolla, CA 92037
CUSTOMS CASE NO. 94-0417-00312

Dear Mr. Lawrence:

On August 24, 1995 I forwarded to your office a letter from [REDACTED] of Needham, Massachusetts concerning [REDACTED] customs case. 6(6)

I would appreciate your sending a status report on this matter at your earliest convenience. Please refer your reply to the attention of my assistant, Jim Shaer, in my Boston office.

Thank you for your cooperation.

Sincerely,


John F. Kerry
United States Senator

JFK:je
Enclosure



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

OCT 4 1995

FO:TC:S:A KMY

The Honorable John Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your inquiry dated September 7, 1995, concerning your constituent [redacted] regarding the seizure of two Iranian carpets in Boston.

We have been in contact with [redacted] of our Boston office, and were informed that this case is currently being looked into. [redacted] will be responded to as quickly as possible.

Should you have further questions regarding this matter, please feel free to contact [redacted], FP&E Specialist, Seizures & Penalties at (202) 927-0783.

Sincerely,

Amore K. [redacted]
Samuel H. Banks
Assistant Commissioner
Office of Field Operations

All
6(b)

C

K201 B1

OFO
cc-CPI

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
July 27, 1995.

Mr. William G. Lawrence,
Director, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
Room 2109
1301 Constitution Avenue, N.W.
Washington, DC 020229

RE:

Marblehead, MA 01945

16(b)

Dear Mr. Lawrence:

I am forwarding you a letter from [redacted] of Marblehead, Massachusetts regarding [redacted] concerns with your agency

16(b)

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter and sending me a copy of your findings and views. To the attention of my Assistant, Jim Shaer, in care of my Boston office.

Thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK:js
Enclosure



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

AUG 7 1995

MAI-Q1-FO:TC:C:E DN

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your July 27, 1995, letter concerning an international mail shipment received by your constituent, [REDACTED]. I regret any inconvenience [REDACTED] may have experienced during this international transaction.

[REDACTED] raises several critical issues. I want to carefully and thoroughly address each of those concerns. In enforcing numerous state, local and federal laws and regulations, the United States Customs Service may inspect any and all international merchandise arriving in the United States. Customs selectively inspects shipments to determine content, value, admissibility and revenue due. Under specific and strict conditions, Customs may also inspect first class mail. Before going so, however, a United States Postal Service (USPS) officer must be present, and no officer (neither Customs nor USPS) may read any written material in the inspected letter.

Each parcel or letter opened is customarily repacked and resealed thoroughly with a pre-printed adhesive tape identifying the Customs Service. Only with rare exception (i.e., short-term lack of supplies) would we resort to repackaging with clear adhesive tape.

Many international parcels are presented to Customs for review prior to domestic delivery by the USPS. Most are released immediately. After a brief review, those shipments which are to be released immediately are stamped with the red "Passed Free" stamp noted by [REDACTED]. Upon receiving that red stamp, Customs will not have any occasion or need to inspect that parcel. At that point, the shipment is released to the USPS for domestic delivery.

Based on [REDACTED] description and the procedural facts of Customs operations, I expect that [REDACTED] shipment was opened at some point after release from Customs and prior to USPS delivery to her. By whom and for what purpose, I cannot speculate. If [REDACTED] were interested in pursuing this

ALL
6(6)

matter, I would suggest that [redacted] contact the U.S. Postal Inspection Service, 475 L'Enfant Plaza, S.W., Washington, D.C. 20260. The Postal Inspection Service may be able to develop information related to [redacted] shipment.

I thank you for your interest in Customs matters and regret [redacted] inconvenience. I hope that [redacted] arriving goods will be located and returned promptly.

Sincerely,,

for Philip Wetzger.
Samuel U. Banks
Assistant Commissioner
Office of Field Operations

ADD
6(6)

JOHN KERRY
MASSACHUSETTS

K198 E/OFOCPA

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
May 22, 1995

Mr. William G. Lawrence, Director
Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
Room 2109
1301 Constitution Avenue, N.W.
Washington, D.C. 20420

RE: ANAGADA Group Ltd.
C/O G [REDACTED]
1500 Main Street Suite 2012
Springfield, MA 01106

Dear Mr. Lawrence:

I am forwarding you a letter from [REDACTED]
Treasurer of ANAGADA Group, Inc. of Springfield, Massachusetts
regarding [REDACTED] concerns with the U.S. Customs Service.

Because of my desire to be responsive to all inquiries and
communications, your consideration of the attached is requested.

I would appreciate you looking into this matter and sending me
a copy of your findings and views, to the attention of my
assistant, Jim Shaer, in care of my Boston office.

Thank you for your cooperation in this matter.

Sincerely,

John F. Kerry
United States Senator

JFK:js
Enclosure

b(6)

b(6)



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

JUN 16 1995

FO:TC:S:F CH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your letter dated May 22, 1995, on behalf of your constituent, [REDACTED], requesting assistance in recovering money that was seized by Customs officers in Memphis, Tennessee. 6(b)

Since this seizure was made at the Port of Memphis, we are forwarding your letter to our district office for reply, via our New Orleans District Office. That office will respond directly to you. We have contacted Ms. Gretchen Greisler of your Boston office to advise her of the foregoing. If you would like to contact the district office with additional questions, the address is: District Director, U.S. Customs Service, 423 Canal Street, Room 246, New Orleans, Louisiana 70130, telephone: (504) 589-2809.

Sincerely,

Arne K. Lombard

cc Samuel H. Banks
Assistant Commissioner
Office of Field Operations



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

NEW ORLEANS, LA

June 29, 1995

INV-04-02-NO:FPF PLP
Seizure 952095-00072-01

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

*All
6(b)*

This is in response to the inquiry which you made on behalf of your constituent, [REDACTED], regarding the seizure of a bearer-negotiable check in the amount of \$22,400.00. On June 15, 1995, the Fines, Penalties, and Forfeitures Office in New Orleans, Louisiana, issued a decision in this case in which we agreed to remit the forfeiture of the seized check upon payment of a mitigated forfeiture in the amount of \$1,792.00 (eight percent of the value of the seized check) and our receipt of an executed Hold Harmless Release Agreement. A copy of that decision is enclosed.

[REDACTED] accepted that decision. As we indicated in the decision letter, the seized check was deposited in a Treasury suspense account pending resolution of this matter. Therefore, upon our receipt of the signed agreement, we instructed our National Finance Center to issue a refund in the amount of \$20,608.00. That refund has been processed and is scheduled to be mailed the week of July 10, 1995.

The Fines, Penalties, and Forfeitures Office in New Orleans has taken every effort to expedite this matter. The seizure notice and decision letters were faxed to [REDACTED] office at [REDACTED] request. We accepted faxed copies in return of [REDACTED] petition and executed Hold Harmless Release Agreement on [REDACTED] promise to forward the originals for our files. Our Office of Investigations also conducted their investigation into the legitimacy of these funds in a timely manner.

If you have any questions or require further assistance in this matter, please do not hesitate to telephone me at (504) 589-8329.

Sincerely,

Leslie Dilmann

Leslie Dilmann
Fines, Penalties, and Forfeitures Officer

Enclosure

REPLY TO: DISTRICT DIRECTOR OF CUSTOMS, NEW ORLEANS, LA 70130

JUN 29 '95 14:49

5845667312 PAGE 004



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

NEW ORLEANS, LA

June 15, 1995

INV-04-02-V:NO:FPF PLP

Seizure number 952095-00078-01

[REDACTED] b(6)
Anigada Group Ltd.
1500 Main Street, Suite 2012
Springfield, MA 01106

Dear [REDACTED]: (b)(6)

This is in response to the petition for relief from forfeiture which you submitted in which you requested relief from the forfeiture of a negotiable check in the amount of \$22,400.00, which was seized by U. S. Customs Service officer at the Federal Express facility at Memphis, Tennessee, on April 13, 1995. The check was seized under the authority of Title 31, United States Code, Section 5317 for violation of Title 31, United States Code, Section 5316 in that an attempt was made to export the monetary instrument to the Cayman Islands without filing a Currency Reporting Act form.

In your petition, you stated that the check represented a loan made by [REDACTED] b(6) to Anigada Group, a new marine management and yacht chartering company. As treasurer of this company, you attempted to deposit this check into the company's account with Barclays Bank in Grand Cayman. Because you have established a legitimate source and intended use for the funds and because you have cooperated fully in our investigation into this matter, it is our decision to remit the forfeiture of the check upon payment of an amount equal to eight percent of the value of the currency, or \$1,792.00 and our receipt of an executed hold harmless agreement (enclosed).

The seized check has been deposited into the Treasury suspense account pending resolution of this matter. Therefore, upon our receipt of the executed agreement, we will issue a refund in the amount of \$20,608.00. We have enclosed a copy of the reporting requirements for the importation and exportation of monetary instruments. Please be aware that any future violations of the reporting requirements will result in the forfeiture of the monetary instrument.

We have been advised by the Internal Revenue Service that amounts paid as penalties are not deductible for Federal Income Tax purposes. Furthermore, deductions are not permitted for the value of merchandise forfeited to the government as a result of violations of Customs laws if the taxpayer claiming the deductions has committed the violations.

REPLY TO: DISTRICT DIRECTOR OF CUSTOMS, NEW ORLEANS, LA 70130

JUN 29 1995 14:49

5845897312 PAGE.005

-2-

In accordance with Title 19, Code of Federal Regulations, Part 171.33, you have the right to file a supplemental petition. If you decide to file a supplemental petition, it must be received in this office within thirty (30) days from the date of this letter. However, it should be submitted only if you set forth new facts or evidence which would justify further relief.

Sincerely,



Leslie Dillmann
Fines, Penalties, and Forfeitures Officer

enclosure

K 196 D1 0717
- CPA
United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
10th Floor
Boston, MA 02114
4/11/95

George J. Weise, Commissioner
U.S. Customs Service
1301 Constitution Avenue
Washington, D.C. 20229

Dear Commissioner:

I am writing to you on behalf of Optima Precision Inc., a Massachusetts company. Optima Precision is the exclusive licensed manufacturer and distributor of a 2 CD box (equal in size to single CD box) for the U.S. market.

Optima is concerned about the fact that a Far East manufacturer is producing this item and importing it into the U.S. market for sale. This would appear to be a clear case of patent infringement.

I would greatly appreciate if you would invoke your powers to sanction these copies of a patented product and protect the interests of this U.S. company. Currently, customs regulations regarding this issue seem to benefit foreign manufacturers at the cost of American companies.

I would appreciate if you would review this information and forward any comments or statements to me or Kevin Curtis in my Boston office. The fax number of my Boston office is 617/248-3870.

Thank you and best wishes.

Sincerely,


John F. Kerry
United States Senator

enclosure

JK/bgd/optima



THE COMMISSIONER OF CUSTOMS

May 10, 1995

WASHINGTON, D.C.

R:IT:I

460122 GFM

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of April 11, 1995, on behalf of your constituent, [REDACTED] of Optima Precision, Inc. [REDACTED] is concerned about the importation of products which may infringe upon patented items which [REDACTED] company is exclusively licensed to manufacture and distribute.

The Customs Service has limited power in patent infringement cases. Despite our vigorous and largely successful efforts in the war against counterfeit trademarked and piratical copyrighted imports, Customs role with regard to patents is limited to the enforcement of Exclusion Orders issued by the International Trade Commission and the administration of Import Surveys which provide patent owners with the names and addresses of importers who import goods which appear to infringe their patent.

If, in the future, Congress legislates the empowering authority, we could do more in the way of patent enforcement. In the meantime, it is suggested that [REDACTED] attempt to pursue the matter privately through the courts as such efforts seem to be the most effective means of combating patent infringement.

Additionally, with regard to your constituent's question concerning the appropriate duty rate for his products, the best course of action would be for [REDACTED] to contact our National Import Specialist Office in New York directly at 212-466-3956. These officers, who are experts in commodity classification, would be best able to provide your constituent with an exact rate of duty based upon a more detailed description of the goods than that contained in his original letter.

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If we can be of any further assistance whatsoever, please do not hesitate to call upon us.

Sincerely,

George J. Weise

George J. Weise
Commissioner

K/93A1

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CPA

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
January 9, 1995

Mr. William G. Lawrence, Director
Office of Congressional Affairs
United States Customs Service
United States Department of the Treasury
1301 Constitution Avenue, N.W. - Room 2109
Washington, DC 20229

RE:

Shrewsbury, MA 01545
CLAIM NO. 406053

Dear Mr. Lawrence:

I am forwarding you a letter from [redacted] of Shrewsbury, MA regarding their concerns with your agency.

Because of my desire to be responsive to all questions and inquiries, consideration of the attached is requested.

I would appreciate your looking into this matter and sending me a copy of your findings and views to the attention of my assistant, Jim Shaer, in care of my Boston office.

Thank you for your cooperation in this matter.

Sincerely,

John F. Kerry
United States Senator

JFK:js
Enclosure

All
6(6)

6(6)



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

JAN 31 1995

MAI-01-IC:C DN

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your January 9, 1995, letter concerning Customs duties charged to your constituents, [REDACTED] and [REDACTED]. I regret any inconvenience [REDACTED] may have experienced during their recent mail importation.

[REDACTED] express concern that they paid Customs duties on merchandise mailed to them by their son, a member of the United States military stationed abroad. If [REDACTED] son were returning to the United States under permanent change of station orders (PCS), then his merchandise would be eligible for duty-free treatment. However, merchandise sent by a member of the military without PCS orders is subject to regular duty charges. Neither having been sent from an APO address or having been purchased from a post exchange alters the dutiable status of merchandise entering the United States. If [REDACTED] son had mailed consolidated gifts, then specific marking and labeling of the merchandise were required to be considered for duty-free treatment.

[REDACTED] filed an administrative protest with Customs, JFK International Mail Branch. Given the lack of supporting evidence provided by [REDACTED], that protest was denied. If [REDACTED] choose, they may file a formal protest with the Area Director, JFK International Airport Building 77, Room 228, Jamaica, New York 11430. If [REDACTED] pursue a formal protest, then I suggest that they provide detailed information as to value, description, and recipient for each gift. As an aside, those marking and labeling requirements are clearly delineated in the publication International Mail Imports (copy enclosed) on page 4.

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Concerning specific dollar charges, the United States Postal Service (USPS) collects normal postage fees for transportation and delivery of parcels. U.S. Customs applies an appropriate duty rate for dutiable merchandise. In addition, Customs is required to charge a \$5.00 international mail processing fee. Upon delivery, the USPS normally charges a further \$3.40 for Customs handling and delivery.

I thank you for your interest in Customs matters and hope that I have been able to fully address the concerns of 61

Sincerely,

for J. H. Banks

Samuel H. Banks
Assistant Commissioner
Office of Field Operations

Enclosure

United States Senate

WASHINGTON, DC 20510

ESS
OFO-CD
CPA

K193B1

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
January 9, 1995

Mr. William G. Lawrence, Director
Office of Congressional Affairs
United States Customs Service
United States Department of the Treasury
1301 Constitution Avenue, N.W. - Room 2109
Washington, DC 20229

RE: [REDACTED]
[REDACTED]
[REDACTED]
Boston, MA 02114

ALL
6-6

Dear Mr. Lawrence:

I am forwarding you a letter from [REDACTED] of
Boston, MA regarding [REDACTED] family's concerns with your agency.

16(6)

Because of my desire to be responsive to all questions and
inquiries, consideration of the attached is requested.

I would appreciate your looking into this matter and sending
me a copy of your findings and views to the attention of my
assistant, Jim Shaer, in care of my Boston office.

Thank you for your cooperation in this matter.

Sincerely,

[Handwritten Signature]

John F. Kerry
United States Senator

JFK:ja
Enclosure

220196

[Handwritten Mark]



DEPARTMENT OF THE TREASURY

U S CUSTOMS SERVICE

JAN 31 1995

ENT-1-IC:C EC

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter of January 9, 1995, with correspondence from [REDACTED], regarding Customs fees on an importation of unique wool fabric.

[REDACTED] explains how [REDACTED] family members worked out the details to have a sample of their own tartan woven in Scotland, as there were no mills in the United States with the capacity to weave six colors that would make such a small sample.

Unfortunately, there is no provision in the Customs regulations or laws that allow us to treat this as anything other than a normal commercial transaction. It is considered commercial because it is coming from a commercial establishment overseas, not because of the party it is going to. Further complicating the situation is the very high rate of duty on woolen goods (up to 37.5 percent of the value).

The New Orleans Customs Office has responded to [REDACTED] letter, and I am enclosing a copy of their response. hindsight does not ease the burden in this situation, but as the response from New Orleans suggests, if the group had consulted with the Customs Office in Boston they may have found that a domestic supplier would have been more economical in the long run.

Please let me know if I can be of further service.

Sincerely,

Samuel H. Banks
Assistant Commissioner
Office of Field Operations

Enclosure

ALL
6(6)

JOHN KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
January 6, 1995

Mr. William G. Lawrence, Director
Office of Congressional Affairs
United States Customs Service
United States Department of the Treasury
1301 Constitution Avenue, N.W. - Room 2109
Washington, DC 20229

RE:

Seizure No: 9554000145

Dear Mr. Lawrence:

My office has been contacted by the family of [REDACTED], formerly of Brasilia, Brazil. [REDACTED] is married to an American citizen and resides in Massachusetts. According to [REDACTED] was stopped at Dulles International Airport on December 20, 1994 at which time U. S. Customs Service withheld \$10,000 which [REDACTED] was carrying.

Because of my desire to be responsive to all questions and inquiries, I would appreciate your looking into this matter at your earliest possible convenience.

Please send a copy of your findings and views to the attention of my assistant, Jim Shaer, in care of my Boston office.

Thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

UFK:js

JOHN KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
February 23, 1995

Mr. William G. Lawrence, Director
Office of Congressional Affairs
United States Customs Service
United States Department of the Treasury
1301 Constitution Avenue, N.W.-Room 2109
Washington, DC 20229

Dear Mr. Lawrence:

On January 5, 1995, I wrote to your office on behalf of [redacted] 16 (6)
[redacted] On December 20, U.S. Customs withheld
\$10,000 from [redacted] at Dulles International Airport. As
of this date, my office is yet to receive a formal response from
your office.

I would appreciate your sending a status report on this
matter at your earliest convenience. Please refer your reply to
the attention of my assistant, Jim Shaer, in my Boston office. I
would also appreciate your telephoning Jim at (617) 565-8519.

Thank you for your cooperation.

Sincerely,


John F. Kerry
United States Senator

JFK:ja
Enclosure



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE

MAR 13 1995

FO:TC:S:F BT

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114-2919

Dear Senator Kerry:

This is in response to your letter dated February 23, 1995, on behalf of your constituent, [REDACTED], who had currency seized at Dulles Airport (case number 95-5401-00145). b(6)

Since this currency was seized at the Port of Dulles, we are forwarding your letter to that office for reply, via our Miami Southeast Regional Office. They will respond directly to you. We have contacted Mr. Jim Shaer of your Boston Office to advise him of the foregoing. In the event you would like to contact the regional office with additional questions, the address is: Regional Commissioner, U.S. Customs Service, 909 SE. First Avenue, Miami, Florida 33131 (telephone: 305-536-5952).

Thank you for your patience and concern in this matter.

Sincerely,

Arne K. Lombardi

for Samuel H. Banks
Assistant Commissioner
Office of Field Operations



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

MIAMI, FLORIDA

MAR 27 1995

ENF-4-0:C DM/JS
220982

The Honorable John P. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114-2919

Dear Senator Kerry:

This correspondence is in reference to your letter of February 23 1995, on behalf of your constituent [REDACTED] who is seeking relief from the seizure of \$10,513.00. That money was seized from [REDACTED] for failure to declare monetary instruments exceeding \$10,000, a violation of Title 31, United States Code, Section 5316.

Your letter contained a petition from [REDACTED] which was forwarded by this office to the District Director, Washington, D.C. for his review. Attached please find a copy of the District Director's decision letter to [REDACTED]. We find that decision consistent with Headquarter's guidelines for violations of this nature.

If you should require further assistance, please contact my office at (805) 536-5952 or the office of the District Director, Washington, D.C. at (703) 318-5900. Thank you for affording me the opportunity to address the concern of your constituent.

Sincerely,

[Signature]
Robert V. McNamee
Regional Commissioner

Attachment

03/21/1995 17:02

7033188664

US CUSTOMS-FP&F

PAGE 11



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

MAR 17 1995

District Case

95-5401-00145

Baton Rouge, Louisiana 70808

Dear [REDACTED]

This correspondence is in response to your petition dated January 09, 1995, requesting that this office make an administrative decision regarding your failure to report a total of \$10,513.00 that was seized from you upon your arrival at the Washington Dulles International Airport.

The monetary instruments were seized in violation of Title 31, United States Code, section 5316, "Reports on Exporting and Importing Monetary Instruments," and are subject to forfeiture under the provision of Title 31, United States Code, section 5317(c), "Search and forfeiture of monetary instruments."

The United States Attorney's Office in Alexandria, Virginia has declined federal prosecution in this matter. Following a careful review of your petition, I have assessed a penalty for \$1,050.00 in regard to this case.

This decision was based upon the fact that you are an inexperienced traveler. Upon review of your Customs Declaration (CF 6049D) question #10, "I am/we are carrying currency or monetary instruments over \$10,000 U.S. or foreign equivalent," you checked no as your answer. You were referred to a secondary inspection and asked how much currency you were carrying and you orally stated \$3,000. Upon requesting more privacy, you were escorted to a secondary examination room where you removed your currency from a money belt and one of your shoulder pads from a garment you were wearing. As you gathered your money and prepared to leave the secondary room the Customs Officers asked if you were sure there was no additional currency in the other shoulder pad of your garment. Finally you admitted that there was more currency in the other shoulder pad. Upon final verification of all the currency you were found in violation of carrying in excess of the \$10,000 reporting requirement. Therefore, concealing currency in your shoulder pads for safekeeping and not removing all of the currency at once when questioned by Customs Inspectors, attributed to the mitigated penalty of 10% that I have assessed. It is of utmost importance to follow the Department of Treasury Regulations regarding the transportation of currency and monetary instruments. Nevertheless, it is your responsibility to know and claim the exact amount of currency that you are transporting. By filling a CF-4790 form, Report of International Transportation of Currency or Monetary Instruments.

The transportation of currency or monetary instruments, whatever the amount, is legal; however, if you take out of or bring into (or are about to take out of or bring into) the United States more than \$10,000.00 (U.S. or foreign equivalent, or a combination of the two) in coins, currency, travelers' cheques or bearer instruments such as money orders, checks, stocks or bonds, you are required by law to file a report on a CF-4790 form with the U.S. Customs Service. Please be advised that any future

03/21/1995 17:02

78131 AR664

US CUSTOMS-FP&F

PAGE 12

-2-

violation of this requirement or false statements on the report could result in a total forfeiture of the seized currency and may lead to civil penalties and/or criminal prosecution.

Please sign and notarize the enclosed Hold Harmless Agreement and return it to this office in the envelope provided within 30 days. Upon signature and receipt of the above, I will direct our National Finance Center to issue a check to you for the remaining amount seized minus the mitigated penalty of \$1,050.00. Be advised that you received \$512.00 for humanitarian reasons. You may expect to receive a check for the balance of \$8,950.00 in approximately six to eight weeks upon receipt in this office of the signed Hold Harmless Agreement.

Should you disagree with my decision, please contact [REDACTED] of my staff at (703) 318-5905 upon receipt of this letter. This will allow you the opportunity to submit a supplemental petition. If you decide to file a supplemental petition, it should contain any new information or mitigating circumstances not previously submitted in your original petition. Your supplemental petition must be submitted within 30 calendar days from the date of this letter. Failure to respond to this notice within the time allowed will indicate that you do not wish to take further action regarding this case and the currency will be considered abandoned and forfeited to the United States Government. I have also enclosed copies of the Reporting Requirement for Monetary Instruments and the Report of International Transportation of Currency of Monetary Instruments (CF-4790) for your review.

Sincerely,


William Green
District Director

Enclosures

JOHN KERRY
MASSACHUSETTS

217859 ESS
K192 DI
United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
December 19, 1994

William G. Lawrence
Director, Legislative Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
1301 Constitution Avenue, N.W. - Room 2109
Washington, DC 20229

RE: [REDACTED]

Barrington, Rhode Island 02806

Dear Mr. Lawrence:

Please reference the attached correspondence from [REDACTED]
[REDACTED] of Barrington, Rhode Island.

Additionally, [REDACTED] has written and telephoned Senator Kerry's office on a number of occasions concerned that the United States Customs Service has failed to acknowledge [REDACTED] desire to offer assistance regarding the investigation of ongoing criminal matters.

Your department's appropriate consideration of the attached would be appreciated. I would also appreciate your department acknowledging [REDACTED] request with a copy to the attention of this office.

Thank you for your time and consideration.

Sincerely,

James D. Shaer

James D. Shaer
Assistant to Senator John Kerry

JS:1
Enclosure

CCI [REDACTED]

K187A1

United States Senate

WASHINGTON, DC 20510

September 12, 1994

Bill, 42406

Yet another
Congressional on
Sulfonic Acid.

b(6)

Union

W.

Colombian Company is Gaining An
S. Competitors By Obtaining Duty-Free
Pretenses

your assistance with a matter that I
adverse effect on a U. S. company
(Pilot). This is a family-owned and
company that manufactures chemical
Pilot manufactures a surfactant
U. S. detergent manufacturers. The
acid, is the major product of Pilot's
lies.

Colombian company is competing unfairly with
for sulfonic acid. This Colombian
same surfactant and selling it to
the United States at a reduced price.
Importing this sulfonic acid duty-free
the material is eligible for duty-free
Trade Preference Act ("ATPA").
the Colombian product is not eligible
more than 65 percent of its value is
are not made in Colombia. If this is
being robbed of tariff revenue and
small, high-technology company is being

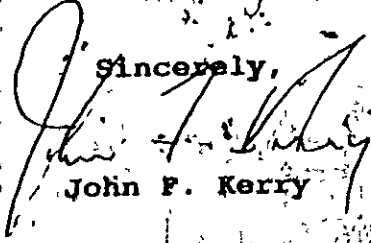
six months ago, many of Pilot's
rare product from Colombia made by
Colombia S. A. Imported by Colombia S.
priced significantly lower than Pilot's

Pilot must buy the feedstock needed to manufacture its product either from importers, at a price that includes the most favored nation ("MFN") tariff of over 17 percent, or from U. S. feedstock manufacturers at a comparable price. Colemul, apparently, buys its feedstock from a Venezuelan source and imports the feedstock from Venezuela into Colombia free of any Colombian duties. Thus, Pilot has to pay at least 17 percent more for feedstock than does Colemul. In addition, unlike Colemul, Pilot Lab carries the expense of compliance with U.S. worker safety and environmental requirements. I understand that Colemul does not have similar expenses.

If U.S. customs laws are in fact not being enforced in this case, then it would mean Colemul is getting an unfair and crippling advantage over Pilot.

Pilot recently submitted a letter requesting you to investigate whether Colemul's sulfonic acid fails to qualify for duty-free treatment under the ATPA. A copy of that request is attached for your convenience. I ask that you examine the facts in this situation, and then advise me of your findings and the relief that will be provided to Pilot to correct Colemul's unfair import competition.

Sincerely,


John F. Kerry

Enclosure



THE COMMISSIONER OF CUSTOMS

WASHINGTON, D.C.

October 3, 1994

The Honorable John F. Kerry
United States Senate
Washington, D.C. 20510

Dear Senator Kerry:

Thank you for your letter of September 12, 1994, concerning Pilot Chemical Corporation and allegations of unfair competition in the U.S. market for sulfonic acid.

Following receipt of your letter, different offices at Customs Service Headquarters reviewed the recent import history of sulfonic acid into the United States. Our preliminary analysis showed that there are importations of sulfonic acid from countries in South America, and that these importations have been entered into the United States under certifications authorizing duty-free treatment under two different legislative initiatives: 1) the Andean Trade Preference Act, and 2) the Generalized System of Preferences.

The Andean Trade Preference Act (ATPA) permits eligible articles to be imported duty-free from countries designated by the President as beneficiary countries. There are currently four beneficiary countries under the ATPA -- Colombia, Bolivia, Ecuador, and Peru. Under the Generalized System of Preferences (GSP), eligible articles imported into the United States from beneficiary developing countries can be entered duty-free if, among other requirements, at least 35 percent of the imported article's cost derives from materials and production in a single eligible country, or an association of countries eligible for GSP treatment.

One of the goals of the Customs Service is to facilitate trade while maintaining vigilance against imported fraud, thereby preserving American jobs and commerce. As a result of the allegations of unfair competition caused by Pilot Chemical Corporation, we have requested the U.S. Customs Special Agent in Charge, Houston, Texas, (where much of the imported sulfonic acid enters the U.S.) to investigate whether or not proper certifications have been used to obtain preferential rates of duty under the ATPA or the GSP on entries of sulfonic acid. If the investigation determines that importations of sulfonic

acid do not qualify for duty-free treatment under the ATPA or GSP, U.S. Customs will collect the proper import duties on shipments of sulfonic acid and initiate civil or criminal penalties, as appropriate.

The Customs Service appreciates your interest and concern in the enforcement of the trade and Customs laws of the United States.

Sincerely,



George J. Weise
Commissioner

JOHN KERRY
MASSACHUSETTS

K182D1 ESS

United States Senate

WASHINGTON, DC 20510

IC
cc. CPA

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-8519
June 2, 1994

Ms. Jackie Motley
Acting Director, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
Room 2109
1301 Constitution Avenue, N.W.
Washington, DC 20229

RE:

[REDACTED]
1994 Bering Strait-Siberian Expedition

[REDACTED]
Essex, MA 01929

All
6(6)

Dear Ms. Motley:

I am forwarding you a letter from [REDACTED] of Essex, MA who is writing on behalf of the 1994 Bering Strait-Siberian Expedition. [REDACTED] expresses a concern over the cost of flying a Customs official from Nome, Alaska to Wales, Alaska.

6(6)

Because of my desire to be responsive to all questions and inquiries, consideration of the attached is requested.

I would appreciate your looking into this matter and sending me a copy of your findings and views to the attention of my assistant, Jim Shaer, in care of my Boston office.

Thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK:js
Enclosure



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

JUN 14 1994

VES-1-IC:P BH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your June 2, 1994, letter enclosing correspondence from [REDACTED] concerning the Customs clearance of the 1994 Bering Strait-Siberian Expedition. 6(b)

Since there is no Customs staffing at Wales, Alaska, where the Expedition is scheduled to arrive in the United States, a Customs officer would have to be flown to Wales, as [REDACTED] points out, in order to clear the Expedition members and any merchandise they may be carrying. 6(b)

However, we are asking the Regional Commissioner of Customs, located at One World Trade Center, Long Beach, California 90831, to look into this matter and determine if there is an alternative to ease the cost of flying a Customs inspector to Wales. The Regional Commissioner has jurisdiction over our Alaskan Ports of Entry, and he will reply directly to you.

In the meantime, please let us know if we can be of further assistance.

Sincerely,

Charles W. Winwood
Charles W. Winwood
Assistant Commissioner
Office of Inspection and Control



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

PACIFIC REGION

JUL 25 1994

VES-1-AK:DCH

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to correspondence from [REDACTED] concerning the Customs clearance of the 1994 Bering Strait-Siberian Expedition upon arrival from Russia at Wales, Alaska. b(6)

Apparently no one from the expedition party had contacted U.S. Customs in Alaska before [REDACTED] wrote to you. Since that time, our Anchorage District Office has received and approved a request to have all Customs requirements conducted by our staff in Nome upon the arrival of the expedition by air from Wales. b(6)

If you have any questions or if more information is needed, please have a member of your staff contact Anchorage Supervisory Customs Inspector Lee Runestad at (907) 248-3373.

Sincerely,

Rudy M. Camacho
Acting Regional Commissioner

REPLY TO: REGIONAL COMMISSIONER OF CUSTOMS
ONE WORLD TRADE CENTER, SUITE 700, LONG BEACH, CA 90801-0700

JUL 25 '94 17:30

010-980-0107 PAGE 003 TOTAL P.03

10931

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
Tenth Floor
Boston, Massachusetts 02114
(617) 565-8519
May 31, 1994

Ms. Ora D. Starks
Congressional Inquiries
U.S. Department of the Treasury
Room 3457
1500 Pennsylvania Ave., N.W.
Washington, DC 20220

Dear Ms. Starks:

I am forwarding to you a copy of a letter from a [REDACTED] Winthrop, MA 02512-2723, concerning the status of [REDACTED] application for a job within the Treasury Department Bureau of Customs. (b)(6)

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

I would appreciate your looking into this matter and sending me a copy of your findings and views to Jack Madigan, in care of my office.

Thank you for your cooperation in this matter.

Sincerely,


John Kerry
United States Senator

JFK/jem

RECEIVED
LEGISLATIVE AFFAIRS
JUN 06 2 58 PM '94
U.S. DEPT. OF THE TREASURY



DEPARTMENT OF THE TREASURY
WASHINGTON

July 18, 1994

ASSISTANT SECRETARY

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry

Thank you for your letter of May 31, 1994, on behalf of your constituent, [REDACTED]. [REDACTED] has applied for a law enforcement position with the U.S. Customs Service and is seeking assistance in obtaining the status of [REDACTED] employment application.

In order to be fully responsive to your inquiry on behalf of [REDACTED], I have requested the U.S. Customs Service, Office of Human Resources, to review and research the concerns raised by [REDACTED]. I will provide you with a more detailed reply as soon as possible. Please be assured that [REDACTED] concerns will be addressed in an equitable manner.

Please let me know whenever we may be of service.

Sincerely,

(Signed)

Michael B. Levy
Assistant Secretary
(Legislative Affairs)

ALL
b(6)



DEPARTMENT OF THE TREASURY
WASHINGTON

AUG 10 1994

ASSISTANT SECRETARY

LA-94-10931
ADM-2-OM:H:OE

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

Thank you for your letter dated May 31, 1994, on behalf of your constituent, [REDACTED], who has expressed an interest in obtaining a Federal Law Enforcement position with the U. S. Customs Service.

The Customs Service looks to recruit the best qualified candidates to fill vacancies, therefore, we appreciate your constituent's desire to join this dedicated workforce. Recruitment methods, such as the Treasury Enforcement Agent (TEA) examination, Schedule A, and the Veterans' Readjustment Appointment (VRA) authorities are utilized to employ eligible and qualified entry level candidates into law enforcement positions.

Since [REDACTED] has already taken and passed the TEA examination, the following are the procedures for hiring from that register. An applicant can be selected only if: 1) the agency requests a list of eligibles (selection register) from the Office of Personnel Management (OPM); and 2) the individual is within reach on the selection register received.

The recruitment efforts for the Customs Service have been limited due to budgetary and hiring restraints. At the present time, the Customs Service has not requested a list of eligible candidates from OPM. Please be assured that if a list of eligibles is requested, and [REDACTED] is within reach on the register, [REDACTED] will be given full consideration along with all other qualified candidates.

The Customs Service, Office of Enforcement, has established procedures for recruitment of applicants interested in employment for law enforcement positions as Schedule A appointees. Applicants are invited to contact designated local recruiters within their area. The recruiter in [REDACTED] area is Senior Special Agent, [REDACTED] and [REDACTED] can be reached at (617) 565-7431. These recruiters have been advised to review all applications for prospective candidates and make recommendations for recruitment to the Office of Enforcement.

ALL
6(6)

For [REDACTED] use, we have enclosed the Customs Service recruitment brochure, "Exceptional Careers," which provides information on general employment procedures and practices, as well as descriptions of other occupations that may be of interest to [REDACTED]. We have also enclosed an Application for Federal Employment (SF-171).

We hope this information will be helpful to your constituent. We appreciate your interest on behalf of [REDACTED] and we regret that we are unable to offer [REDACTED] consideration for employment at this time.

If you require further information concerning this matter, please feel free to have a member of your staff contact [REDACTED] at (202) 634-5036.

Please let me know whenever we may be of service.

Sincerely,

(Signed)

Michael B. Levy
Assistant Secretary
(Legislative Affairs)

Enclosures

N KERRY
CHUSETTS

11-2-B1

CO
CPA

One powder square

Massachusetts 02114

17-565-8519

17-248-3870

1994

William Lawrence
Associate Commissioner
for Congressional and Public Affairs
U.S. Customs Service
1301 Constitution Avenue
Washington, D.C. 20229

Dear Mr. Lawrence:

As you may know, Massachusetts is home to a considerable number of small to mid-sized manufacturers of items made in plastic. I write in hope that your office may help us clarify a Customs situation that currently faces some of them.

Our information is that currently, the applicable U.S. duty on polystyrene resin is 0.0 percent, 1.4 percent per kilo. The applicable duty on finished products manufactured from polystyrene resin, such as small boxes used for packaging compact discs, classification 3923.20.0000 is 3.1 percent.

We would greatly appreciate if someone could verify these tariffs for us. We are currently in the process of verifying these tariffs and would appreciate any information that could be provided.



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

JUN 8 1994

CLA-2 CO:R:C:F
956504 EAB

The Honorable John Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to a letter dated May 23, 1994, from your Executive Assistant for Economic Affairs, [REDACTED], concerning the classification and rate of duty under the Harmonized Tariff Schedule of the United States Annotated (HTSUSA) of polystyrene resin and certain articles thereof, each made in China. 6-6

Polymers of styrene, so long as they are in primary form, are classifiable under heading 3903, HTSUSA. More particularly, if the goods are expandable polystyrene in primary form, they would be classified under subheading 3903.11.00; if the goods are other than expandable polystyrene in primary form, they would be classified under subheading 3903.19.00. In either case, the goods would be subject to the column one general rate of duty of 0.9 cents/kg plus 9.2 percent ad valorem, if entered in calendar year 1994.

The classification of the so-called "jewel boxes", i.e., the plastic, in this instance, polystyrene resin, individual cases in which compact discs are sold and stored, depends upon answers to several questions that we have posed to Mr. Hubbard. As soon as we obtain further information from him, we will be able to provide you with the classification and rate of duty for such goods.

If we can be of further assistance in this or any other matter, please do not hesitate to call on us.

Sincerely,

William D. Padgett
Jose D. Padgett
Assistant Commissioner
Congressional and Public Affairs



DEPARTMENT OF THE TREASURY
U S. CUSTOMS SERVICE

JUL 18 1994

CLA-2 CO:R:C:F
956504 EAB

The Honorable John Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in further response to a letter dated May 23, 1994, from your Executive Assistant for Economic Affairs, [REDACTED] concerning the classification and rate of duty under the Harmonized Tariff Schedule of the United States Annotated (HTSUSA) of polystyrene resin and certain articles thereof, each made in China. 66

The classification and corresponding rate of duty of the "jewel boxes", i.e., the individual cases in which compact discs are sold and stored, depends upon their condition as imported. General Rule of Interpretation (GRI) 2(a), HTSUSA, sets forth the principle of classification that an incomplete or unfinished article having or exhibiting the essential character of the complete or finished article shall be classified under that tariff provision applicable to the complete or finished article; furthermore, a tariff provision for a complete or finished article includes such article entered unassembled or disassembled. In accordance with GRI 2(a), therefore, Customs would classify CD "jewel boxes," if their condition as imported so warranted, under subheading 3923.10.0000, HTSUSA, a provision for "articles for the conveyance or packing of goods, of plastics; stoppers, lids, caps and other closures, of plastics; Boxes, cases, crates and similar articles," bearing duty at the column one general rate of 3 percent ad valorem.

If components of the jewel boxes were entered separately, we would likely classify the bottoms in subheading 3921.10.0000 as well. This is so because, for example, Webster's Ninth New Collegiate Dictionary defines "box" to be "a rigid, typically rectangular receptacle often with a cover," thereby indicating that a "box" does not require a cover.

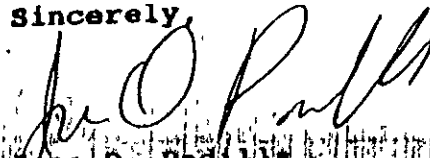
The lids would be classified under subheading 3923.50.0000, HTSUSA, a provision for "articles for the conveyance or packing of goods, of plastics; stoppers, lids, caps and other closures, of plastics; stoppers, lids, caps and other closures," bearing duty at the column one general rate of 5.3 percent ad valorem.

The foregoing rates of duty are the most-favored-nation rates and are, of course, applicable to products of China.

We are pleased to provide you with the foregoing information on behalf of your constituent, and enclose herewith a small leaflet concerning Customs "District Rulings Program." For any prospective importation, we would request that you urge your constituent to obtain a written, binding ruling from Customs, the procedures for which are set out in Part 177 of Title 19 of the Code of Federal Regulations.

If we can be of further assistance in this or any other matter, please do not hesitate to call on us.

Sincerely,



Jose D. Padilla
Assistant Commissioner
Congressional and Public Affairs

Enclosure

JOHN KERRY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510

One Bowdoin Square
10th Floor
Boston, MA 02114
5/9/94

William Lawrence
Associate Commissioner for
Congressional and Public Affairs
U.S. Customs Service
1301 Constitution Avenue
Washington, DC 20229

Dear Mr. Lawrence:

I am writing to you on behalf of my constituent, [REDACTED]
[REDACTED] of Hingham, Massachusetts.

[REDACTED] is faced with a sample age problem. U.S. Customs
claims that the sugar content of [REDACTED] product is in excess of
permitted limits and therefore, subject to duty. [REDACTED]
disputes this finding and to resolve the situation, [REDACTED]
proposes an independent test of the product. Would you review
this complaint and forward your findings to my Staff Assistant,
Kevin Curtis of my Boston office.

Thank you and best wishes.

Sincerely,

John F. Kerry
United States Senator

JFK/ama/Kuhn



DEPT. OF THE TREASURY

MAN-CO:TO:I:O

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in response to your letter dated May 9, 1994, concerning your constituent, [REDACTED], who is having problems with entering chocolate chips into the United States because of the sugar content. b(6)

Since the merchandise was entered through the port of St. Albans, we are forwarding your letter to that office for reply via our Boston regional office. They will respond directly to you.

Thank you for your patience and concern in this matter.

Sincerely,

John D. Padilla
Assistant Commissioner
Consular and Public Affairs



DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

BOSTON, MASSACHUSETTS

JUNE 21, 1994

The Honorable John F. Kerry
U.S. Senator
100 State Street
Boston, MA 02109

Your letter of May 9, 1994 concerning
of Pilgrim Food Products Inc.
hereafter referred to as Pilgrim

6(6)

eight shipments for redelivery to Customs custody of
the United Kingdom. The crumb imported by Pilgrim Food from
following a routine laboratory analysis which indicated
the chocolate crumb imported by Pilgrim Food contained in excess
of 60% sugar. Chocolate products in excess of 60% sugar are
subject to quota restrictions. Since no quota allotment exists
for such products from the United Kingdom, importations into the
United States would be prohibitive.

Pilgrim Food, through their legal counsel, took exception
with the laboratory results and insisted the imported product
contained less than 60% sugar. Such product would be allowed
entry under a quota category which allots 3,379,297 KG from the
United Kingdom. Based on the assertions of Pilgrim Food,
attempts were made to verify the results of the laboratory
analysis. A copy of the laboratory report was provided to
Pilgrim Food's attorney as well as an explanation of the Customs
testing methodology. Pending verification of the initial
laboratory report, all shipments accompanied by independent
laboratory results certifying the sugar content as less than 60%
were allowed entry.

Subsequently, it was determined the Customs laboratory
erroneously applied the lactose percentage to the sugar content
when in fact it should have been applied to the milk solids
percentage. Based on the proper application of the lactose
percentage, the sugar percentage for the Pilgrim Food sample was
amended from 62% to less than 60%.

As a result, an amended laboratory report was requested and recently received by our St. Albans district. Based on the amended report, the demands for redelivery of the prior eight shipments will be cancelled. Pilgrim Food's attorney has been advised of this fact. Importations of chocolate crumb for Pilgrim Food will be allowed entry under the established quota category which allots 3,379,297 KG from the United Kingdom.

We regret the inconvenience caused to the importer as a result of the Customs laboratory error. The action taken by field personnel was necessary based on the initial laboratory results received. At the request of the importer, goods were allowed entry based on independent laboratory analysis pending verification of the initial laboratory report.

Should you or the importer require additional information concerning this matter please feel free to contact [REDACTED] of our Commercial Operations Division at (617) 565-6242.

Sincerely,

Philip W. Spayd

Philip W. Spayd
Regional Commissioner

cc: District Director
St. Albans

6(6)

K173 B1

EMAN

United States Senate

WASHINGTON DC 20510 2192

One Bowdoin Square
Tenth Floor
Boston, MA 02114-2919
(617) 565-3519
February 21, 1994

Ms Jackie Motley
Acting Director, Office of Congressional Affairs
U.S. Customs Service
U.S. Department of the Treasury
Room 2109
1301 Constitution Avenue, N.W.
Washington, DC 20229

RE:

[REDACTED]
Los Angeles, CA 90009

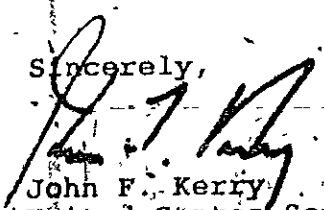
Dear Ms Motley,

I am forwarding you a letter from [REDACTED] of Los Angeles, CA who is having difficulty obtaining a transfer to Boston, MA.

I would appreciate your looking into this matter and sending me a copy of your findings and views, in duplicate form, to the attention of my assistant, Jim Shaer, in care of my Boston office.

Thank you for your cooperation in this matter.

Sincerely,


John F. Kerry
United States Senator

JFK:jds
Enclosure

ALL
6(6)

6(6)



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
WASHINGTON, D/C

ADM-2-OM:H:E:NN

MAR 15 1994

The Honorable John F. Kerry
United States Senator
One Bowdoin Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is to reply to your letter of February 24, 1994, on behalf of [REDACTED], Customs Inspector, Los Angeles International Airport, who is seeking a transfer to the Boston area due to hardship conditions. b(6)

Regrettably, at the present time, there are no vacancies in the Boston area. Because of budget and employment constraints within the Northeast Region, we do not anticipate that the authorized staffing level for Boston will change in the immediate future.

We encourage [REDACTED] to maintain contact with the Boston District in the event this situation changes. b(6)

If we can be of further assistance in this matter, please feel free to have a member of your staff contact [REDACTED], Personnel Staffing Specialist, at (202) 634-2714. b(6)

Sincerely,

[Signature]
Jose D. Padilla
Assistant Commissioner
Congressional and Public Affairs

United States Senate

WASHINGTON, DC 20510-210

One Bowdoin Square
Tenth Floor
Boston, Massachusetts 02114
(617) 565-8519
March 11, 1993

Mr. William Lawrence
Director, Office of Congressional
Affairs
U.S. Customs Service
Room 4237
110 Constitution Avenue, N.W.
Washington, D.C. 20229

Dear Mr. Lawrence

I am writing on behalf of [REDACTED]
[REDACTED] West Wareham, MA 02576. I have enclosed a copy of [REDACTED] letter
regarding [REDACTED] who is currently seeking a lateral
transfer as a U.S. Customs Inspector from Vermont to Boston.

It is my understanding that [REDACTED] has filed his
transfer request in addition to his SF-171 with the U.S. Customs
Service.

Because it is the desire of this office to be responsive to
all inquiries and communications, your consideration of this matter
is requested.

I would appreciate your sending a status report concerning the
transfer request to Jack Madigan, in care of my office.

Thank you for your cooperation.

Sincerely,

John F. Kerry
United States Senator

JFK/ am
enclosure

K164 D1-

MAN
CA IC
Bn
CA

205880
205903

ALL
6(6)



DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
WASHINGTON, D.C.

MAR 31 1993

ADM-2-OM:H:E:NN

The Honorable John F. Kerry
United States Senator
One Boylston Square
Boston, Massachusetts 02114

Dear Senator Kerry:

This is in reply to your letter of March 11, 1993, on behalf of [REDACTED], regarding [REDACTED] who is seeking a reassignment to the Boston District.

Regrettably, at the present time there are no vacancies in the Boston area that are compatible with [REDACTED] grade and professional qualifications. The immediate prospects for suitable positions is uncertain, and will depend in large measure on the duration of budget and employment constraints currently in effect throughout Customs. However, should positions become available later in the year, we encourage [REDACTED] to submit an updated application, including a copy of [REDACTED] most recent Employee Performance Appraisal System (EPAS) rating.

In addition to submitting applications for announced vacancies, [REDACTED] may file written requests for a reassignment directly with the U.S. Customs Service District Directors in the districts of [REDACTED] choice. A written request must include a current Personal Qualification Statement (SP-171) and a copy of his most recent EPAS rating.

Please be assured that [REDACTED] as well as all other eligible and qualified applicants, will receive full and fair consideration for voluntary reassignment requests.

If we can be of further assistance, please feel free to call on us.

Sincerely,

William A. Lawrence
William A. Lawrence
Acting Assistant Commissioner
Congressional Affairs